

**COUNTY BOARD
OF
ELECTION COMMISSIONERS
PROCEDURES MANUAL**



**Prepared and Provided by the:
State Board of Election Commissioners
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(2010 Edition)

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STATE BOARD OF ELECTION COMMISSIONERS

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December 11, 2009

Dear County Election Commissioners,

The State Board of Election Commissioners is pleased to provide you with a complimentary copy of our **County Board of Election Commissioners Procedures Manual** reflecting changes in election law from the 2009 session of the Arkansas General Assembly.

This fourth edition is provided to familiarize new and veteran members of the county boards of election commissioners with the election laws, processes, and procedures for the State of Arkansas and to assist county election commissioners in fulfilling their statutory duties and responsibilities.

On behalf of the State Board of Election Commissioners and the citizens of Arkansas, I want to extend our sincere thanks and appreciation for your dedication to the democratic process, your public service in the pursuit of fair and orderly elections, and your commitment to the voters of our state.

The staff of the State Board of Election Commissioners has worked diligently to provide this resource to you and look forward to seeing you during our 2010 training season.

We stand ready to assist you in any way possible so please feel free to call upon us at any time.

With best regards,

A handwritten signature in blue ink that reads "Susie Stormes".

Susie Stormes
Director

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GLOSSARY OF TERMS

Act - any act/enactment having general application throughout the state or an ordinance applicable to a municipality or county, whether originating in the General Assembly or proposed by the people, and referred acts. *[A.C.A. §§ 7-9-101(1); 7-9-125(a)(1)]*

Affidavit of eligibility - an affidavit signed by a candidate for elective office stating that the candidate is eligible to serve in the office he or she seeks. *[A.C.A. § 7-1-101(2)]*

Amendment - any proposed amendment to the Arkansas Constitution, whether proposed by the General Assembly or by the people under the provisions of Amendment 7 or Article 19, § 22. *[A.C.A. §§ 7-9-101(2); 7-9-125(a)(2)]*

Audit log - an electronically stored record of events and ballot images from which election officials may produce a permanent paper record with a manual audit capacity for a voting system using voting machines. *[A.C.A. § 7-1-101(3)]*

Ballot question - a question in the form of a statewide, county, municipal, or school district initiative or referendum which is submitted or intended to be submitted to a popular vote at an election, whether or not it qualifies for the ballot. *[A.C.A. § 7-9-402(1)]*

Candidate - any individual who has knowingly and willingly taken affirmative action, including solicitation of funds, for the purpose of seeking nomination for or election to any public office. *[A.C.A. § 7-6-201(2)]*

Canvassing - examining and counting the returns of votes cast at a public election to determine authenticity. *[A.C.A. § 7-1-101(5)]*

Certificate of choice - a certificate, signed by an executive officer of a political group that submits a petition to place its candidates for President and Vice-President on the ballot, designating the names of its candidates to appear on the ballot. *[A.C.A. § 7-1-101(6)]*

Constitutional officers of this state - the offices of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of State, Treasurer of State, and Commissioner of State Lands. *[A.C.A. § 7-1-101(7)]*

Counting location - a location selected by the county board of election commissioners with respect to all elections for the automatic processing and/or counting of votes. *[A.C.A. § 7-1-101(8)]*

DRE - direct recording electronic voting machine (see “Voting Machine”). *[A.C.A. § 7-1-101(33)]*

Election - the process in which qualified electors nominate or elect a candidate to public office for regular terms, or decide any measure or question submitted to a vote of the people. A preferential primary election, a general primary election, a general election, a general runoff election, a school election, and a special election each constitute a separate election. *[A.C.A. §§ 7-5-204; 7-6-201(7); 7-9-101(4); 7-9-117(c)(1); 14-42-119(b)(3)]*

GLOSSARY OF TERMS

Election official or election officer - a member of the county board of election commissioners or a person who is a poll worker designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff. Election official also includes an election clerk designated by the county board to process, count, and canvass absentee ballots and a person designated to count ballots at a central counting location. [A.C.A. §§ 7-1-101(10); 7-5-414(a); 7-5-615]

Electronic vote tabulating device - a device, commonly referenced as an optical scanner, used to electronically scan a marked paper ballot for the purpose of tabulation. [A.C.A. § 7-1-101(11)]

Fail-safe voting - the mechanism established under the National Voter Registration Act of 1993 that allows a voter who has moved within the same county to vote at his or her new precinct without having updated his or her voter registration records. [A.C.A. § 7-1-101(12)]

First-time voter - any registered voter who has not previously voted in a federal election in the state. [A.C.A. § 7-1-101(13)]

General election - the regular biennial elections for election of United States, state, district, county, township, and municipal officials and for the purpose of submitting proposed amendments to the Arkansas Constitution or other measures or questions to a vote of the people, but shall not apply to school elections for officials of school districts. [A.C.A. §§ 7-1-101(14); 7-5-102; 7-5-204]

HAVA - the federal Help America Vote Act of 2002 that established the Election Assistance Commission to assist in the administration of federal elections and allocate federal funds to states for election administration improvements, including replacing punch card and lever voting machines, improving accessibility for disabled voters, implementing a statewide voter registration system, voter and election official training, and other improvements.

Initiative - the electoral process by petition by which a percentage of voters can propose any Constitutional Amendment, law, or ordinance for a vote by the people at the biennial regular general election. [Article 5, § 1 of the Arkansas Constitution; Amendment 7; A.C.A. § 7-9-104(a); Black's Law Dictionary]

Legislative question - a question in the form of a measure referred by the General Assembly, a quorum court, a municipality, or a school district to a popular vote at an election. [A.C.A. § 7-9-402(7)]

Majority party - the political party in the State of Arkansas whose candidates were elected to a majority of the constitutional offices of the state in the last preceding general election. [A.C.A. § 7-1-101(15)]

Marking device - any approved device for marking a paper ballot with ink or other substances that will enable the votes to be tabulated by means of an electronic vote tabulating device. Paper ballots counted by hand should be marked using permanent ink. If an electronic vote tabulating device is used to count paper ballots, the marking instrument recommended by the manufacturer of the device for proper marking should be used. [A.C.A. §§ 7-1-101(16); 7-5-211(a)(2)(H); 7-5-602(c)]

GLOSSARY OF TERMS

Measure - either an amendment or an act. *[A.C.A. §§ 7-9-101(6); 7-9-125(a)(5)]*

Member of the merchant marine - an individual employed as an officer or crew member of a vessel documented under the laws of the United States, a vessel owned by the United States, or a vessel of foreign-flag registry under charter or control of the United States; an individual enrolled with the United States for employment or training for employment or maintained by the United States for emergency relief service as an officer or crew member of any such vessel; or as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act if different from the definition stated above. *[A.C.A. § 7-1-101(17)]*

Minority party - the political party whose candidates were elected to less than a majority of the constitutional offices of this state in the last preceding general election or the political party that polled the second greatest number of votes for the office of Governor in the last preceding general election, if all of the elected constitutional officers of this state are from a single political party. *[A.C.A. § 7-1-101(18)]*

Nonpartisan judicial general election - the regular biennial election for election of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, and district judge. *[A.C.A. § 7-10-101(1)]*

Party certificate - a written statement or receipt signed by the secretary or chair of the county committee or of the state committee, as the case may be, of the political party evidencing the name and title proposed to be used by the candidate on the ballot, the position the candidate seeks, payment of the fees, and filing of the party pledge, if any, required by the political party. *[A.C.A. § 7-1-101(19)]*

Party filing period - the period of time established by law for the candidate for a political party's nomination to file his or her party certificate with the Secretary of State or county clerk, as the case may be. *[A.C.A. § 7-1-101(20)]*

Political party - any group of voters that at the last preceding general election polled for its candidate for Governor in the state or nominees for presidential electors at least three percent (3%) of the entire vote cast for the office. *[A.C.A. § 7-1-101(21)]*

Polling site - a location selected by the county board of election commissioners where votes are cast. *[A.C.A. § 7-1-101(22)]*

Precinct - the geographical boundary lines dividing a county, municipality, township, or school district for voting purposes. *[A.C.A. § 7-1-101(23)]*

Primary election - any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state. *[A.C.A. § 7-1-101(24)]*

Provisional ballot - a ballot cast by special procedures to record a vote when there is some question concerning a voter's eligibility and counted upon verification of the voter's eligibility. *[A.C.A. § 7-1-101(25)]*

GLOSSARY OF TERMS

Qualification of a ballot question - any action or process, legal or otherwise, through which a ballot question obtains certification to be on the ballot at an election. *[A.C.A. § 7-9-402(10)]*

Qualified elector - a person who holds the qualifications of an elector and is registered under Arkansas Constitution, Amendment 51:

- 1) Must be a U.S. citizen;
- 2) Must be an Arkansas resident;
- 3) Must be a minimum of 18 years of age;
- 4) Must be lawfully registered to vote in the election;
- 5) Must not presently be adjudged mentally incompetent by a court of competent jurisdiction;
- 6) Must not have been convicted of a felony without the sentence having been discharged or pardoned; and
- 7) Must not claim the right to vote in another county or state. *[Article 3, §§ 1 & 2 of the Arkansas Constitution, as amended by Const. Amend. 85; Amendment 8; Amendment 51, § 6; A.C.A. § 7-1-101(26)]*

Referendum - the electoral process by petition by which a percentage of voters can refer a legislative act passed by the General Assembly of the State of Arkansas, or refer a county or city ordinance or constitutional amendment to the people for approval or rejection by popular vote of the people at the biennial regular general election or at a special election. *[Article 5, § 1; Amendment 7; A.C.A. § 7-9-105(a); Black's Law Dictionary]*

Sample ballot - a ballot for distribution to the public or the press marked with the word "SAMPLE" to prevent the production of counterfeit ballots. *[A.C.A. § 7-1-101(27)]*

Special election - any specially scheduled election to fill vacancies or to approve any measure. *[A.C.A. § 7-1-101(14)]*

Uniform Services - the Army, Navy, Air Force, Marine Corps, and Coast Guard, the commissioned corps of the Public Health Service, and the commissioned corps of the National Oceanic and Atmospheric Administration, or as defined in the federal Uniformed and Overseas Citizens Absentee Voting Act if different from the definition stated herein. *[A.C.A. § 7-1-101(28)]*

Vacancy in election - the vacancy in an elective office created by death, resignation, or other good and legal cause, arising before election to the office at a general or special election, but arising after the certification of the ballot. *[A.C.A. § 7-1-101(29)]*

Vacancy in nomination - the circumstances in which the person who received the majority of votes at the preferential primary election or general primary election cannot accept the nomination due to death, or notifies the party that he or she will not accept the nomination due to serious illness, moving out of the area from which the person was elected as the party's nominee, or filing for another office before the final date for certification of nominations. *[A.C.A. § 7-1-101(30)]*

Vacancy in office - the vacancy in an elective office created by death, resignation, or other good and legal cause arising after election to the office at a general or special election or arising after taking office and before the expiration of the term of office in those circumstances where the vacancy must be filled by a special election rather than by appointment. "Vacancy in office"

GLOSSARY OF TERMS

shall not apply to the election of a person at a general election to fill an unexpired portion of a term of office. *[A.C.A. § 7-1-101(31)]*

Voter-verified paper audit trail (VVPAT) - a contemporaneous paper record of a ballot printed for the voter to confirm his or her votes before the voter casts his or her ballot that allows the voter to verify the voter-verified paper audit trail before the casting of the voter's ballot; is not retained by the voter; does not contain individual voter information; is produced on paper that is sturdy, clean, and resistant to degradation; and is readable in a manner that makes the voter's ballot choices obvious to the voter without the use of computer or electronic code. *[A.C.A. §§ 7-1-101(32); 7-5-532(a)(2)]*

Voting machine (DRE) - a direct recording electronic voting machine that records votes by means of a ballot display provided with mechanical or electro-optical components that may be actuated by the voter, processes the data by means of a computer program, records voting data and ballot images in internal and external memory components, and produces a tabulation of the voting data stored in a removable memory component and on a printed copy. *[A.C.A. §§ 7-1-101(33); 7-5-532(a)]*

Voting system - the total combination of mechanical, electromechanical, or electronic equipment, including the software, firmware, and documentation required to program, control, and support the equipment that is used to define ballots, to cast and count votes, to report or display election results, and to maintain and produce any audit trail information. "Voting system" also includes the practices and documentation used to identify system components and versions of components; test the system during its development and maintenance; maintain records of system errors and defects; determine specific system changes to be made to a system after the initial qualification of the system; and make available any materials to the voter, including, without limitation notices, instructions, forms, or paper ballots. *[A.C.A. § 7-1-101(34)]*

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RESEARCHING ELECTION LAWS

The Arkansas Code (statutes) is the laws of the State of Arkansas. The Arkansas Code is revised by the legislature by way of legislative acts or by the people by means of initiative and referendum petition. Changes to the Arkansas Code are codified or incorporated into the existing code by the statutory and regulatory review section of the Bureau of Legislative Research.

Copies of the Arkansas Code can be found at your county courthouse and in many libraries in the set of red, bound volumes entitled Arkansas Code of 1987 Annotated. Title 7 is the main volume addressing elections and can be found in Volume 6 of the Arkansas Code of 1987 Annotated.

When researching statutes, check for updates in the supplement (often referred to as “pocket part”) in the back of the bound volume to ensure that you are referencing the most recent version of the statutes. If you are searching for information on a particular topic such as a primary election, special election, school election, or municipal election, for example, be sure to reference the appropriate title and section of the code for the applicable law. Keep in mind that there are instances where case law (rulings by a court) has over-ruled or interpreted statute. If you have questions or are unsure, contact your county attorney, the Secretary of State’s Legal Division, or our office for assistance.

In addition to the bound volumes, following each regular legislative session the Elections Division of the Secretary of State’s Office issues a spiral-bound Election Laws of Arkansas booklet containing election laws, the original twenty (20) Articles of the 1874 Constitution and the subsequent eighty-seven (87) Amendments to the Arkansas Constitution. State statutes may also be accessed on the Internet at the Arkansas State Legislature’s website at www.arkleg.state.ar.us.

In viewing a citation such as A.C.A. § 7-1-101, the “7” represents the Title, the “1” represents the chapter and the “101” is the section. A.C.A. stands for Arkansas Code Annotated, meaning “with annotations” or background notes. The notes following each citation are useful in tracing the history of the statute, including when the original act was passed by the legislature.

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COUNTY BOARD OF ELECTION COMMISSIONERS

Composition

Each of the 75 counties in the State of Arkansas has a county board of election commissioners comprised of three (3) local election officials responsible for conducting all elections within its respective county.

The members of the county board are:

- Generally the county chair of the county committee of the majority party;
- Generally the county chair of the county committee of the minority party; and
- A third member selected by the county committee of the majority party at the same time as the election of party officers. [A.C.A. §§ 7-4-102(a)(1); 7-7-201(b)(1)]

Ineligibility or Inability to Serve

If the county chair of the county committee does not desire to serve or is ineligible to serve on the county board of election commissioners, the county committee must select a resident of the county qualified to serve in his or her place. [A.C.A. § 7-4-102(a)(2), (3)]

For example:

Bob Jones is the chair of the county committee. Due to time constraints, Mr. Jones is unable to serve on the county board of election commissioners. The county committee appoints Joe Smith to serve on the county board of election commissioners in Mr. Jones' place. Bob Jones retains his position as chair of the county committee, while Joe Smith will serve on the county board of election commissioners.

Chair of County Board

The county board of election commissioners shall meet at the courthouse at least thirty (30) days before the general election to elect one (1) member to serve as chair. [A.C.A. § 7-4-105(a)]

Any of the three (3) members of the county board may be elected to serve in the capacity of chair.

Term of Office

Each member of the county board of election commissioners serves for a term of three (3) years, staggered in 2008 so that one (1) term expires on January 15 of every year. Commissioners hold office until their successors are officially appointed and qualified. [A.C.A. §§ 7-4-102(e); 7-4-105(a)]

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COMMISSIONER QUALIFICATIONS

Appointment

To be eligible for consideration for appointment to a position on the county board of election commissioners, the candidate cannot be employed with a company having any business dealings, contracts, or pending contracts with the county board to which seeking appointment. [A.C.A. § 7-4-109(c)(3)]

Qualifications

To serve on the county board of election commissioners, a commissioner **must**:

- Be a qualified elector of the state (see the definition on page 5); [A.C.A. § 7-4-109(a)(1)]
- Be able to read and write the English language; [A.C.A. § 7-4-109(a)(1)]
- Be a resident of the county that he or she serves at the time of his or her appointment or election [A.C.A. § 7-4-109(b)];
- Attend election training conducted by the State Board of Election Commissioners prior to a regularly scheduled preferential primary election; and [A.C.A. § 7-4-109(e)(1)]
- Attend additional interim training, if deemed necessary and appropriate by the State Board.

Appearance on Ballot:

A member of the county board shall not be disqualified from serving on the county board merely for appearing on the ballot as a candidate for a position in his or her political party (i.e., a county committeeman). [A.C.A. § 7-4-109(a)(3)]

Disqualification

To serve on the county board of election commissioners, a commissioner **must not**:

- Have been found or pled guilty or nolo contendere to the violation of any election law of this state; [A.C.A. § 7-4-109(a)(1)]
- Be a paid employee of any political party; [A.C.A. § 7-4-109(c)(1)]
- Be a paid employee of any person running for any office on the county's ballot; [A.C.A. § 7-4-109(c)(1)]
- Participate in any campaign for persons listed on the county's ballot, except for making financial contributions to a campaign; [A.C.A. § 7-4-109(c)(2)]
- Be a candidate for any office to be filled at any election while serving on the county board, except for appearing on the ballot as a candidate for a position in his or her political party; and [A.C.A. § 7-4-109(a)(2)(3)]
- Be married to or related within the second degree of consanguinity to any candidate running for office in the current election, if objection is made within ten (10) days after the list of officials is posted. [A.C.A. § 7-4-109(d)]

COMMISSIONER QUALIFICATIONS

Paid Employee of School District:

Any member of the county board of election commissioners who is a paid employee of any school district holding a school election in the county shall be disqualified from participating as a member of the county board in any matter concerning the school election. *[A.C.A. § 6-14-106(e)(1)]*

OATH OF OFFICE

Within ten (10) days of selection to the county board of election commissioners, the county committee must notify the county clerk in writing of the names and addresses of those selected.

The county clerk must send a notice by registered mail to those persons selected instructing them to appear before the clerk to take the oath of office within thirty (30) days of selection to the county board. *[A.C.A. § 7-4-102(b)]*

In January of each year, the chair of each party committee shall file a notice with the county clerk and the Secretary of State containing the names of the party's members designated to serve on the county board. *[A.C.A. § 7-4-102(c)]*

Before entering on their duties, each member of the county board must take the following oath of office:

“I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of Arkansas, and that I will faithfully discharge the duties of the office of county election commissioner, upon which I am now about to enter.” *[Article 19, § 20 of the Arkansas Constitution]*

The oath shall be filed with the county clerk and a duplicate forwarded to the Secretary of State. *[A.C.A. § 7-4-102(b)]*

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COUNTY BOARD MEETINGS

Notification

The chair of the county board of election commissioners must notify each member of the county board of all meetings. *[A.C.A. § 7-4-105(b)]*

Quorum

Two (2) members of the county board of election commissioners shall constitute a quorum. *[A.C.A. § 7-4-105(a)]*

Voting

Each member of the county board of election commissioners has one (1) vote, and two (2) concurring votes shall decide any questions before the county board, unless a unanimous vote is otherwise required by law. *[A.C.A. § 7-4-105(a)]*

Public Meetings/Freedom of Information Act

When official business is conducted in any meeting of two (2) or more members of the county board of election commissioners, the meeting must be public and held pursuant to the Freedom of Information Act of 1967 according to Ark. Code Ann. § 25-19-101 et seq. *[A.C.A. § 7-4-105(b)]*

Public meetings as defined under the Arkansas Freedom of Information Act include without limitation:

- Drawing of ballot position;
- Certification of ballots;
- Selection or alteration of location or boundaries of precincts or polling sites;
- Designation of election officials;
- Correction of errors or omissions of ballots;
- Canvassing and certification of election results;
- Canvassing and certification of a recount; and
- Election day.

Record Keeping

The county board of election commissioners must keep minutes of all meetings when official business is conducted and must file the minutes with the county clerk. *[A.C.A. § 7-4-105(b)]*

COUNTY BOARD MEETINGS

The county board shall maintain a public record of all expenditures made and funds received by the county board. *[A.C.A. § 7-4-113]*

Compensation

Each member of the county board of election commissioners shall receive for services not less than twenty-five dollars (\$25) per public meeting when official business is conducted. *[A.C.A. § 7-4-111(b)]*

The county board shall not receive compensation for election duties until election results have been certified and delivered to the Secretary of State. *[A.C.A. § 7-5-701(c)(2)]*

LEGAL ASSISTANCE TO THE COUNTY BOARD

The county board of election commissioners may call upon the county's prosecuting attorney or his or her deputy for legal assistance. *[A.C.A. § 7-4-106(a)]*

The county attorney or prosecuting attorney shall defend the county board in any civil lawsuit brought against the county board, or any of its members, if sued in regard to any acts or omissions made during the course of carrying out the official duties of the county board. *[A.C.A. § 7-4-106(b)]*

The county board is deemed to consist of county officials, and its members are immune from tort liability according to Ark. Code Ann. § 21-9-301. *[A.C.A. §§ 7-4-102(d); 7-4-115]*

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ELECTIONS

Defined

An election is the process in which qualified electors nominate or elect a candidate to public office for regular terms or decide any measure or question submitted to a vote of the people. A preferential primary election, a general primary election, a general election, a general runoff election, a school election, and a special election each constitute a separate election. *[A.C.A. §§ 7-6-201(7); 7-9-101(4)]*

Types of Elections

Primary:

A primary election is any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state and to apportion delegates to a national nominating convention of the party to select a nominee for the office of President of the United States. *[A.C.A. §§ 7-1-101(24); 7-7-202(a); 7-8-201]*

General:

A general election is any regularly scheduled biennial election for election of United States, state, district, county, township, and municipal officials and for the purpose of submitting proposed amendments to the Arkansas Constitution or other measures or questions to a vote of the people, but shall not apply to school elections for officials of school districts. *[A.C.A. §§ 7-1-101(14); 7-5-102; 7-5-204]*

Nonpartisan Judicial:

A nonpartisan judicial general election is any regularly scheduled biennial election for election of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, and district judge. *[A.C.A. § 7-10-101(1)]*

School:

A school election is the regularly scheduled annual election held for the election of school board positions and for the purpose of submitting an annual proposed rate of tax for the maintenance and operation of schools and the retirement of indebtedness to a vote of the people. *[Article 14, § 3 of the Arkansas Constitution, as amended by Amendments 1, 11, and 40; Attorney General's Opinion No. 96-380]*

Special:

A special election is any specially scheduled election to fill vacancies or to approve any measure. *[A.C.A. § 7-1-101(14)]*

When Held

Preferential Primary Election:

The preferential primary election, commonly known as the primary election, is held in May on the Tuesday three (3) weeks before the general primary election. *[A.C.A. §§ 7-7-203(b); 7-8-101]*

General Primary Election (Primary Runoff):

The general primary election, commonly known as the primary runoff election, is held on the second Tuesday in June before the general election. *[A.C.A. §§ 7-7-203(a); 7-8-101]*

General Election:

The general election is held on the Tuesday after the first Monday in November in every even-numbered year. *[A.C.A. §§ 7-5-102; 14-42-201]*

General Runoff Election:

A general runoff election for a county or municipal contest in which no candidate received a majority of the votes cast for the office at the general election is held three (3) weeks after the date of the general election. *[A.C.A. § 7-5-106(a)]*

Nonpartisan Judicial General Election:

The nonpartisan judicial general election is held on the same dates and at the same times and places as the preferential primary election. *[A.C.A. § 7-10-102(b)(1)]*

Nonpartisan Judicial General Runoff Election:

The nonpartisan judicial general runoff election is held on the same date and at the same times and places as the November general election. *[A.C.A. § 7-10-102(c)(2)]*

School Election:

The annual school election is held in each school district of the state on the third Tuesday in September. *[A.C.A. § 6-14-102(a)(1)]*

Special Election:

For the various dates on which special elections may be held, see the SPECIAL ELECTIONS section of this manual beginning on page 27.

ANNUAL SCHOOL ELECTION

When Held

A school election is held annually in each school district of the state on the third Tuesday in September for the purpose of electing school board positions and submitting to a vote of the people an annual proposed rate of tax for the maintenance and operation of schools and the retirement of indebtedness. *[Article 14, § 3 of the Arkansas Constitution, as amended by Amendments 1, 11, and 40; A.C.A. § 6-14-102(a)(1); Attorney General's Opinion No. 96-380]*

Polling Sites

Designation:

The county board of election commissioners shall designate all the polling sites for each school district in its county, including districts having territory in more than one (1) county but that are domiciled for administrative purposes in its county. *[A.C.A. § 6-14-106(a)(1)]*

Polling sites for school elections shall be established by a majority vote of the members of the county board present. *[A.C.A. 6-14-106(a)(3)]*

The polling sites for each school election shall be the same as those established for the immediately preceding school election unless changed by order of the county board. *[A.C.A. § 6-14-106(a)(4)(A)]*

Each polling site for a school district's annual school election shall be located within the school district. *[A.C.A. § 6-14-106(a)(4)(B)]*

In a contested school election in a school district with territory in more than one (1) county, the county board of the domicile county shall designate one (1) or more polling sites in each county in which the school district has territory containing a city of the second class or larger with registered electors. *[A.C.A. § 6-14-106(b)]*

Consultation with School District:

The county board shall consult with each school district regarding the number of polling sites to designate for each school district and the location of the polling sites. *[A.C.A. § 6-14-106(a)(2)]*

Reduction/No Poll:

If requested by resolution adopted by the board of directors of any school district, the county board may reduce the number of polling sites or allow annual school elections to be conducted by early and absentee voting only with no polling sites open, if all candidates for school district director are unopposed and there are no ballot issues for consideration, with the exception of the local tax rate if that rate is not being changed or restructured. *[A.C.A. § 6-14-102(c)]*

Election Officials

Qualifications:

In addition to other qualification under Arkansas law regarding poll workers, a poll worker at a school election shall not be a paid employee of the school district holding the election. *[A.C.A. § 6-14-106(f)(2)]*

Number:

The county board of election commissioners of the domicile county shall appoint one (1) election judge and one (1) election sheriff for each polling site and as many additional election clerks at each polling site as are necessary for holding the election. *[A.C.A. § 6-14-106(a)(1), (f)(1)]*

Compensation:

The school district board may allow sufficient compensation to the election officials to secure good citizens to serve. *[A.C.A. § 6-14-119]*

Publications

Public Notice of Election:

Beginning at least twenty (20) days before each school election to be held within the district, the board of directors of each school district shall, in a newspaper of general circulation in the county or counties in which the district is administered, once a week for three (3) weeks, publish notice of the time, place, and questions to be submitted to the electors. *[A.C.A. § 6-14-109]*

Polling Sites:

The board of directors of each school district shall publish at least one (1) notice identifying the polling site for each ward or precinct in a newspaper of general circulation, not more than ten (10) days and not less than three (3) days before any school election. *[A.C.A. § 6-14-106(d)]*

Changes in Polling Sites:

The board of directors of each school district shall publish at least one (1) notice identifying changes in polling sites since the last school election in a newspaper of general circulation, not more than ten (10) days and not less than three (3) days before any school election. *[A.C.A. § 6-14-106(d)]*

Ballots

The county board of election commissioners of the domicile county shall prepare and furnish ballots for the annual school election. *[A.C.A. § 6-14-111(b)]*

Only issues authorized to be on the ballot by the Arkansas Constitution or by statute shall appear on the ballot. *[A.C.A. § 6-14-102(a)(2)]*

ANNUAL SCHOOL ELECTION

The county board shall place on the ballots as a candidate for school district director the name of any qualified registered voter whose political practices pledge, affidavit of eligibility, and petition has been filed with and verified by the county clerk of the county in which the school district is domiciled for administrative purposes according to Ark. Code Ann. § 6-14-111.

On the day after the deadline for candidates filing by petition, the county clerk shall certify to the county board the names of those candidates who have qualified for the ballot by petition. *[A.C.A. § 6-14-111(i)(1)]*

Immediately after the close of the write-in filing period, the county clerk shall certify to the county board any write-in candidates who have filed the affidavit of eligibility, the notice of write-in candidacy, and the political practices pledge with the clerk. *[A.C.A. § 6-14-111(i)(2)]*

The county board shall hold a public meeting no later than fifty-five (55) days before the annual school election and determined by lot the order that the names of the candidates will appear on the ballot. *[A.C.A. § 6-14-111(j)]*

Voting Machines/Tabulating Devices

For counties that use voting machines or electronic vote tabulating devices, the county board of election commissioners may choose to use only paper ballots counted by hand. *[A.C.A. § 6-14-102(c)(2)(B)]*

Election Materials

The county board of election commissioners of the domicile county shall prepare and furnish all necessary election supplies for the annual school election. *[A.C.A. §§ 6-14-106(a)(1); 6-14-111(b)]*

If a school district has territory in more than one (1) county, the county board must assure that the necessary precinct registration files are delivered to each polling site in order that the electors in each county may vote in the school election. *[A.C.A. § 6-14-106(c)]*

Upon request of the county board for uniformity in conducting annual school elections, the State Board of Education shall prepare, distribute at least thirty (30) days before the annual school election, and bear the cost of providing at least one (1) annual school election kit or package per poll designed especially for conducting annual school elections in the manner required by law. *[A.C.A. § 6-14-113]*

Ballot Secrecy

Each voter shall be provided privacy to mark his or her ballot. *[A.C.A. § 6-14-110]*

Counting Ballots and Certifying Results

Certification of Results:

When the polls are closed, the election officials shall immediately count the results, make a return of the votes, certify the return, and file the certification with the county clerk for delivery to the county board of election commissioners. *[A.C.A. § 6-14-114; 6-14-115]*

The county board shall determine, declare, and certify the result of the school election to the county clerk, no earlier than forty-eight (48) hours and no later than ten (10) days after the election. *[A.C.A. § 6-14-115]*

The certification shall show the number of votes cast for each person for school district director, the number of votes cast for and against the school tax, the number of additional mills for maintenance and operation, the number of mills for dedicated maintenance and operation, the number of mills for debt service, the total millage rate levied for all purposes in excess of the uniform rate of tax, and the number of votes cast for and against any other question submitted at the election. *[A.C.A. § 6-14-114]*

The county board shall file the certification of election and one (1) ballot with the county clerk. *[A.C.A. §§ 6-14-115(a)]*

Write-in Votes:

Votes for a write-in candidate for school district director shall not be counted unless the candidate files with the county clerk of the county in which the school district is domiciled for administrative purposes, during a one-week period ending at noon fifty-five (55) days before the annual school election, a notice of write-in candidacy identifying the position sought, including the position number or other identifying information, if applicable, a political practices pledge, and an affidavit of eligibility. *[A.C.A. § 6-14-111(a),(c),(g)]*

Runoff Election:

If no candidate for any school district position receives a majority of the votes cast for the office or if a tie vote exists, a runoff election shall be held in the district three (3) weeks after the date of the election with the names of the two (2) candidates receiving the highest number of votes placed on the runoff ballot. *[A.C.A. § 6-14-121(a)]*

The person receiving the majority of the votes cast for the position at the runoff election shall be declared elected. *[A.C.A. § 6-14-121(b)]*

In the event the two (2) candidates in the runoff election seeking election to the same school district position receive the same number of votes, a tie shall exist, and the county board shall determine the winner by lot at an open public meeting and in the presence of the two (2) candidates. *[A.C.A. § 6-14-121(d)]*

Candidate Withdrawal:

If one (1) of the two (2) candidates who received the highest number of votes for a school district position withdraws before certification of the result of the school election, the remaining

candidate who received the most votes shall be declared elected, and there shall be no runoff election. *[A.C.A. § 6-14-121(c)]*

Election Contest

Within twenty (20) days of the date of certification, a candidate may contest the election in the circuit court of the county in which the school district is domiciled according to the procedures provided under Ark. Code Ann. § 7-5-801 et seq. *[A.C.A. § 6-14-116]*

Election Expenses

The school districts in the county shall reimburse the county out of its school fund the cost of the election less expenses incurred for election officials at individual polling places. *[A.C.A. § 6-14-118]*

Each school district's share of the total cost shall be determined by multiplying the total cost of the election by a fraction, the numerator of which is the number of votes cast in the specific school election and the denominator of which is the total number of votes cast in the entire election. *[A.C.A. § 6-14-118]*

Expenses incurred for election officials at individual polling places shall be paid by the school district in which the polling place is located. *[A.C.A. § 6-14-118]*

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CANDIDATE WITHDRAWAL

Notice of Withdrawal

The notice from a candidate of his or her desire to withdraw must be in writing, signed by the candidate, and acknowledged before an officer authorized to take acknowledgements. *[A.C.A. §§ 7-5-203(a)(2), (b)(2); 7-7-304(a)(2), (b)(2)]*

Primary Elections

Withdrawal Before Certification/Not Placed on Ballot:

If before certification of the list of the names of all candidates to be placed on the ballot at the primary election, a candidate on the list dies or notifies the Secretary of State or county clerk, as the case may be, of his or her desire to withdraw as a candidate for the office or position, the candidate shall not be certified and shall not be placed on the primary election ballot. *[A.C.A. §§ 7-5-203(a)(2), (b)(2); 7-7-304(a)(2), (b)(2)]*

Withdrawal After Certification/Votes Counted:

Votes received by a candidate whose name appeared on the preferential primary ballot and who withdrew or died after the certification of the ballot are counted. *[A.C.A. §§ 7-5-315(b)(1); 7-7-304(c)(1)]*

Vacancy in Nomination:

If the candidate who withdrew or died receives enough votes at the primary election to win the nomination, a vacancy in nomination shall exist. *[A.C.A. § 7-7-304(c)(2)]*

If the candidate who withdrew or died receives enough votes to advance to the primary runoff election, the person's name must be placed on the primary runoff election ballot. *[A.C.A. § 7-7-304(c)(3)]*

If the candidate who withdrew or died receives enough votes to win the primary runoff election, a vacancy in nomination shall exist. *[A.C.A. § 7-7-304(c)(4)]*

Vacancy in Election:

If the candidate who withdrew or died receives enough votes at the general election to win the election, a vacancy in election shall be declared. *[A.C.A. § 7-5-315(b)(2)(A)]*

If the candidate who withdrew or died receives enough votes to qualify for a runoff election, the person's name must be placed on the runoff election ballot. *[A.C.A. § 7-5-315(b)(2)(B)(i)]*

If the candidate who withdrew or died receives enough votes to win the runoff election, a vacancy in election shall exist. *[A.C.A. § 7-5-315(b)(2)(B)(ii)]*

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VACANCIES

Vacancy in Candidacy for Nomination

Defined:

A vacancy in candidacy for nomination occurs when:

- An unopposed candidate in a preferential primary cannot accept nomination due to death; or
- An unopposed candidate in a preferential primary refuses nomination due to a serious illness. [A.C.A. § 7-7-106(a)]

Filled by Convention:

A vacancy in candidacy for nomination is filled at a convention of the political party within ten (10) days after death or notification to the political party. [A.C.A. § 7-7-106 (b), (c)]

Convention Held Before Preferential Primary Election:

If the vacancy is filled at a convention of the political party more than sixty-six (66) days before the preferential primary election, the name of the person chosen at the convention to fill the vacancy is placed on the preferential primary ballot instead of the name of the person who vacated the candidacy. [A.C.A. § 7-7-106(d)]

The person chosen at the convention of the political party and subsequently elected at the preferential primary election to fill the vacancy in candidacy is declared the nominee.

If the vacancy is filled at a convention of the political party less than sixty-six (66) days before the preferential primary election, the name of the person who vacated the candidacy is placed on the preferential primary ballot. [A.C.A. § 7-7-106(e)]

The person chosen at the convention of the political party to fill the vacancy in candidacy is declared the nominee even though the name of the person who vacated the candidacy appears on the preferential primary ballot. [A.C.A. § 7-7-106(e)]

Convention Held After Preferential Primary Election:

If the vacancy in candidacy is not filled at a convention of the political party before the date of the preferential primary election, a vacancy in nomination exists on the date of the preferential primary election and is filled according to Ark. Code Ann. § 7-7-104, as described below. [A.C.A. § 7-7-106(f)]

Vacancy in Nomination

Defined:

A vacancy in nomination occurs when:

- A vacancy in candidacy for nomination is not filled at a convention of the political party before the date of the preferential primary election;

VACANCIES

- A candidate who received the majority of votes at the preferential primary election cannot accept nomination due to death;
- A candidate who received the majority of votes at the preferential primary election notifies the party that he or she refuses nomination due to serious illness;
- A candidate who received the majority of votes at the preferential primary election notifies the party that he or she refuses nomination due to moving out of the area from which elected as the party's nominee;
- A candidate who received the majority of votes at the preferential primary election notifies the party that he or she refuses nomination due to filing for another office;
- A candidate who received the majority of votes at the primary runoff election cannot accept nomination due to death;
- A candidate who received the majority of votes at the primary runoff election notifies the party that he or she refuses nomination due to serious illness;
- A candidate who received the majority of votes at the primary runoff election notifies the party that he or she refuses nomination due to moving out of the area from which elected as the party's nominee;
- A candidate who received the majority of votes at the primary runoff election notifies the party that he or she refuses nomination due to filing for another office; or
- A tie vote occurs in a primary runoff election. *[A.C.A. §§ 7-1-101(30); 7-7-104(b),(c); 7-7-106(f)]*

State Party Notification to Governor:

When a vacancy in nomination occurs, the state committee of the political party must notify the Governor within five (5) days after the occurrence as defined above as to whether the party chooses to fill the vacancy in nomination at a special election or at a convention. *[A.C.A. § 7-7-104(c)]*

Untimely Notification/Vacancy Not Filled:

If the party fails to notify the Governor within the five-day period or if the vacancy in nomination occurs for any reason other than death, serious illness, the candidate's moving out of the area from which elected as the party's nominee, or filing for another office, the vacancy in nomination is not filled. *[A.C.A. § 7-7-104(d)]*

Holding a Convention:

If the party notifies the Governor of its desire to fill the vacancy in nomination at a convention, the convention shall occur no later than twenty-five (25) days after notice to the Governor. *[A.C.A. § 7-7-104(f)]*

Special Primary Election/Governor Proclamation:

If within the time prescribed, the party notifies the Governor of its desire to hold a special primary election, the Governor must issue a proclamation within five (5) days calling for the special election. *[A.C.A. § 7-7-104(e)(1)]*

The Governor's proclamation shall establish the deadline for filing as a candidate for nomination, drawing for ballot position, and issuing and filing certificates of nomination. *[A.C.A. § 7-7-104(e)(1)]*

VACANCIES

Special Primary Election Date:

The special primary election shall occur no earlier than thirty (30) days and no later than sixty (60) days after the filing deadline. *[A.C.A. § 7-7-104(e)(1)]*

Declaring a Nominee:

The candidate who receives the most votes in the special primary election is declared the nominee, and no runoff election is held. *[A.C.A. § 7-7-104(e)(1)]*

In the event of a tie for the most votes at the special primary election, the appropriate party committee shall hold a public meeting to determine the nominee by lot. *[A.C.A. § 7-7-104(e)(1)]*

The name of the nominee who is filling a vacancy in nomination shall be immediately certified to the appropriate county board of election commissioners. *[A.C.A. § 7-7-104(e)(2)]*

If the party's nominee is selected too late to file his or her certificate of nomination with the appropriate party authority at least sixty-six (66) days before the general election, the name of the person who vacated the nomination is placed on the general election ballot instead of the name of the nominee. *[A.C.A. § 7-7-104(g)(1)]*

Votes cast for the person appearing on the ballot who vacated the nomination shall be counted for the nominee only if the certificate of nomination is filed at least thirty-five (35) days before the general election. *[A.C.A. § 7-7-104(g)(1)]*

The county board must post a notice at each affected polling site if they are attributing to the party's nominee the votes that were cast for the person appearing on the ballot who vacated the nomination. *[A.C.A. § 7-7-104(g)(2)(A)]*

A copy of the notice must be sent to an absentee voter along with his or her instructions. *[A.C.A. § 7-7-104(g)(2)(B)]*

Vacancy in Office

Defined:

A vacancy in office occurs when a vacancy in an elective office is created by death, resignation, or other good and legal cause either:

- After election to the office at a general or special election; or
- After taking office and before the expiration of the term of office in those circumstances where the vacancy must be filled by a special election rather than by appointment. *[A.C.A. § 7-1-101(31)]*

United States Senate:

When a vacancy occurs, the Governor shall fill the vacancy by temporary appointment if the next regular general election is to be held in not less than sixty (60) days and not more than twelve (12) months after the vacancy occurs. *[A.C.A. § 7-8-102(a)]*

VACANCIES

If the next regular general election does not occur within twelve (12) months after the vacancy, the Governor shall call a special election to be held according to Ark. Code Ann. § 7-11-101 et seq. no more than one hundred twenty (120) days after the vacancy occurs. *[A.C.A. § 7-8-102(b)]*

United States House of Representatives, Lieutenant Governor, Senate or House of Representatives of the General Assembly:

When a vacancy occurs, the Governor shall notify the state committees of the political parties and request written determination within ten (10) days as to whether the political parties desire to hold a special primary election or a convention to choose nominees. *[A.C.A. §§ 7-7-105(a)(1); 7-8-104]*

If no state committee of any political party timely responds to the Governor of its determination to hold a special primary election or convention, the Governor shall declare by proclamation that all nominees shall be chosen by convention. *[A.C.A. § 7-7-105(b)]*

If the state committee of any political party timely notifies the Governor of its choice to hold a special primary election, all party nominees must be chosen at a special primary election. *[A.C.A. § 7-7-105(a)(2)(A)]*

The Governor shall issue a proclamation that sets dates for the special primary election, the primary runoff election, if necessary, and the special election. *[A.C.A. §§ 7-7-105(a)(2)(B); 7-8-104]*

The special election to fill the vacancy in office shall be held according to the laws governing special elections as soon as possible after the vacancy occurs, but not more than one hundred fifty (150) days after the vacancy occurs. *[A.C.A. § 7-7-105(a)(3)]*

County, County Quorum Court District, or Township Office:

For information on conditions and declaration of vacancy and filling a vacancy in county elective offices, see Ark. Code Ann. §§ 14-14-1308, 14-14-1309, and 14-14-1310.

Municipal Office:

For information on filling a vacancy in municipal office, see Ark. Code Ann. §§ 14-42-103, 14-43-411, 14-43-412, 14-44-104, 14-44-106, 14-44-112, 14-44-116, and 14-45-103.

For information on a vacancy in office created by removal of a person holding an elective office with a four (4) year term in a municipality with a mayor-council form of government, see Ark. Code Ann. § 14-42-119.

SPECIAL ELECTIONS

Laws Governing

In the absence of provisions in the laws governing special election procedures, a special election shall be governed by either primary election laws of the state or general election laws of the state, as the case may be. *[A.C.A. § 7-11-301]*

Calling

All special elections and other elections to fill a vacancy in an office shall be called by proclamation, ordinance, resolution, order, or other authorized document of the appropriate constituted authority. *[A.C.A. § 7-11-101]*

Except for special school elections, all special elections on measures or questions referred to the voters by governmental entities as authorized by law shall be called by proclamation, ordinance, statute, resolution, order, or other authorized document of the appropriate constituted authority. *[A.C.A. § 7-11-201]*

Calling Document

Vacancies in State, Federal, or District Offices/State Measures or Questions:

The proclamation, ordinance, resolution, order, or other authorized document of the appropriate constituted authority calling a special election to fill a state, federal, or district office or calling a special election on a state measure or question shall be filed with the Secretary of State, who shall immediately transmit the document to the county board of election commissioners of each county where the special election is to be held. *[A.C.A. §§ 7-11-103(a); 7-11-202(a)]*

Vacancies in Local Offices/Local Measures or Questions:

The proclamation, ordinance, resolution, order, or other authorized document of the appropriate constituted authority calling a special election to fill a local office or calling a special election on a local measure or question shall be filed with the county clerk of the county administering the election, who shall immediately transmit the document to the county board of each county where the special election is to be held. *[A.C.A. § 7-11-104(a); 7-11-203(a)]*

Special Election to Fill Vacancy:

The proclamation, ordinance, resolution, order, or other authorized document calling for a special election to fill a vacancy in an office must be published in a newspaper of general circulation where the special election is to be held and must set forth the:

- Date of the election;
- Date of the special primary election, if any;
- Date of the special primary runoff election, if any is required;

SPECIAL ELECTIONS

- Deadline for filing as a party candidate with the county clerk or Secretary of State, as the case may be;
- Deadline for party conventions to select nominees, if applicable;
- Deadline for parties to issue certificates of nomination or certified lists of nominees, as the case may be, if applicable;
- Deadline for candidates to file certificates of nomination, if applicable, with the county clerk or the Secretary of State, as the case may be;
- Deadline for filing as an independent candidate and the period that a petition for independent candidacy may be circulated;
- Deadline for filing as a write-in candidate, if applicable;
- Deadline for the county board of election commissioners to draw for ballot position; and
- Date the election shall be certified by the county board in each county where the election takes place and, if applicable, by the Secretary of State. *[A.C.A. § 7-11-102; 7-11-103(b)]*

Special Election on Measures or Questions:

The proclamation, ordinance, statute, resolution, order or other authorized document calling the special election shall set out:

- The date of the special election;
- The full text of any measure or question for which the election is called;
- The ballot title, if any, for the measure or question for which the election is called; and
- Any other information required by law. *[A.C.A. § 7-11-204]*

Publication:

The county board shall publish the calling document as soon as practicable in a newspaper of general circulation in the county where the special election is being held. *[A.C.A. §§ 7-11-103(b); 7-11-202(b)]*

In addition to the publication of the calling document, notice of special elections held under Title 7, Chapter 11 shall be published and posted according to Ark. Code Ann. §§ 7-5-202 and 7-5-206. *[A.C.A. § 7-11-303]*

When Held

Second Tuesday of Month:

Except as otherwise provided by law, a special election to fill vacancies in office and the associated special primary election and all special elections on measures or questions referred to voters shall be held on the second Tuesday of any month. *[A.C.A. §§ 7-11-105(a); 7-11-205(a)(1)(A)]*

Third Tuesday of Month:

A special election scheduled to occur in a month where the second Tuesday of the month is a legal holiday shall be held on the third Tuesday of the month. *[A.C.A. §§ 7-11-105(b); 7-11-205(a)(1)(B)(i)]*

SPECIAL ELECTIONS

Fourth Tuesday of Month:

A special election called in June of an even-numbered year shall be held on the fourth Tuesday of the month. *[A.C.A. §§ 7-11-105(c); 7-11-205(a)(1)(B)(ii)]*

With Preferential Primary Election or General Election:

A special election held in the same month that a preferential primary election or general election is scheduled to occur shall be held on the same date as the preferential primary election or general election, but no less than sixty-five (65) days after the date established in the proclamation, ordinance, resolution, order, or other authorized document for drawing for ballot position or filed with the county clerk in the case of special elections on measures and questions. *[A.C.A. §§ 7-11-105(d)(1), (e)(1); 7-11-205(a)(1)(A); 7-11-205(b)(1)]*

Special Primary Election:

A special primary election to fill a vacancy in nomination may be called only if the special primary election can be called, held, conducted, certified, and certificates of nomination filed at least seventy (70) days before the general election. *[A.C.A. § 7-7-104(a)(2)(B)]*

Other Special Elections:

If a special election to fill a vacancy in office is not held at the same time as the preferential primary election or general election, the special election shall be held not less than fifty (50) days after the date established in the proclamation, ordinance, resolution, order, or other authorized document for drawing for ballot position or filed with the county clerk in the case of special elections on measures and questions. *[A.C.A. §§ 7-11-105(e)(2); 7-11-205(b)(2)]*

Vacancies Filled Under Arkansas Constitution, Amendment 29:

When a vacancy in office is to be filled under Arkansas Constitution, Amendment 29, the Governor shall issue a proclamation calling an election to fill a vacancy. *[A.C.A. § 7-11-302(1)]*

If the vacancy occurs less than one hundred eighty (180) days before the general election at which the vacancy is to be filled and the position is one that may be filled by partisan election, the political parties shall choose their nominees at a convention of delegates held according to party rules for the convention. *[A.C.A. § 7-11-302(2)]*

If the vacancy occurs more than one hundred eighty (180) days before the general election and is a position that may be filled by partisan election, the Governor shall certify the fact of vacancy in writing to the state committees of the political parties and request written determination within ten (10) days as to whether the political parties desire to hold a special primary election or a convention to choose nominees. *[A.C.A. § 7-11-302(3)]*

If no state committee of any political party timely responds to the Governor of its determination to hold a special primary election or convention, the Governor shall declare by proclamation that all nominees shall be chosen by convention. *[A.C.A. § 7-11-302(5)]*

If the state committee of any political party timely notifies the Governor of its choice to hold a special primary election, all party nominees must be chosen at a special primary election. *[A.C.A. § 7-11-302(4)]*

SPECIAL ELECTIONS

The Governor shall issue a proclamation that sets dates for both the special primary election and any primary runoff election if no candidate receives a majority of the vote at the special primary election. *[A.C.A. § 7-11-302(4)]*

Polling Sites

Reduction:

If in a special election or special primary election to fill a vacancy, there is only one (1) candidate and no other office or issue on the ballot, the county board of election commissioners may reduce the number of polling places for the election to only one (1) polling place. *[A.C.A. § 7-11-107(a)(2)]*

The polling place may be at the courthouse and may be staffed by the county clerk or as many poll workers as the county board deems necessary. *[A.C.A. § 7-11-107(a)(2)]*

No Poll:

If in a special election or special primary election to fill a vacancy, there is only one (1) candidate and no other office or issue on the ballot, the county board may conduct the election by absentee and early voting only with no polls open on election day. *[A.C.A. § 7-11-107(a)(1)]*

Ballots

Primary Elections:

When a special primary election is held on the same date as a preferential primary election, the names of the candidates to be voted upon at the special primary election shall be included on the ballot of each political party and the portion of the ballot on which the special primary election appears shall be labeled with a heading stating “SPECIAL PRIMARY ELECTION FOR _____” with the name of the party for which nomination is sought and the office set out in the heading. *[A.C.A. § 7-11-106(a)]*

When a special election to fill a vacancy in office is held on the same date as a preferential primary election, the names of the candidates and any issue or issues to be voted upon at the special election shall be included on the ballot of each political party and that portion of the ballot on which the special election appears shall be labeled with a heading stating “SPECIAL ELECTION FOR...” with the name of the office set out in the heading or “SPECIAL ELECTION ON...” with a brief description of the measure or question to be decided in the election. *[A.C.A. §§ 7-11-105(d)(2); 7-11-205(a)(2)(A), (B)]*

Separate ballots containing the names of the candidates to be voted on at the special election, any nonpartisan judicial candidates, and any other measures or questions to be voted upon shall be provided for those voters who wish to vote in the special election or nonpartisan judicial general election, but do not wish to vote in a party’s primary. *[A.C.A. §§ 7-7-306(b); 7-10-102(b)(2),(3); 7-11-105(d)(3), (4)(A); 7-11-106(b); 7-11-205(a)(3), (4)]*

SPECIAL ELECTIONS

General Elections:

When a special primary election is held on the same date as a general election, the names of the candidates and the issue or issues to be voted upon at the special primary election shall be included on the general election ballot and that portion of the ballot labeled “SPECIAL PRIMARY ELECTION FOR . . .” with the name of the office set out in the heading.

When a special election is held on the same date as a general election, the names of the candidates and the issue or issues to be voted upon at the special election shall be included on the general election ballot and the portion of the ballot on which the special election appears shall be labeled with a heading stating “SPECIAL ELECTION FOR . . .” with the name of the office set out in the heading. *[A.C.A. § 7-11-105(d)(4)(B)(i)]*

The county board may provide a separate ballot for any special election held at the general election, if determined necessary to avoid voter confusion. *[A.C.A. § 7-11-105(d)(4)(B)(ii)]*

Voting Machines/Tabulating Devices

For counties that use voting machines or an electronic vote tabulating device, the county board of election commissioners may choose to use only paper ballots counted by hand. *[A.C.A. § 7-11-107(b)]*

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VOTING SYSTEMS

Types

A county's voting system must consist of voting equipment selected for use by the Secretary of State, examined and approved by the State Board of Election Commissioners, and chosen by resolution of the county's quorum court. *[A.C.A. §§ 7-5-301, 7-5-503, 7-5-606]*

A county's voting system may consist of:

- 1) All voting machines with at least one (1) voting machine per poll accessible to voters with disabilities and paper ballots for provisional voting and machine malfunction only;
- 2) Paper ballots with an electronic vote tabulating device at each poll and at least one (1) voting machine per poll accessible to voter with disabilities;
- 3) Paper ballots with an electronic vote tabulating device at a central counting location and at least one (1) voting machine per poll accessible to voters with disabilities; and
- 4) Paper ballots counted by hand and at least one (1) voting machine per poll accessible to voters with disabilities. *[A.C.A. § 7-5-301(a)]*

Voting Machines

Voter-Verified Paper Audit Trail:

All direct recording electronic voting machine purchases must include a voter-verified paper audit trail. *[A.C.A. §§ 7-5-301(b)(2); 7-5-504(8); 7-5-532(c)(2)]*

All direct recording electronic voting machines in use must include a voter-verified paper audit trail, except for those voting machines already in use during the 2004 general election that may include a voter-verified paper audit trail at the discretion of the county board of election commissioners. *[A.C.A. §§ 7-5-301(b)(1); 7-5-532(c)(1)]*

Overvotes:

A voting machine shall not be approved for use that would permit a voter to overvote his or her ballot. *[A.C.A. § 7-5-504(4), (9)]*

An overvote occurs when a voter casts votes for more than the allowable number of candidates in a contest or casts votes both for and against an issue to be decided by election.

Paper Ballot

Electronic Vote Tabulating Devices:

If a paper ballot voting system that includes an electronic vote tabulating device at each poll is used, a voter must be notified that his or her ballot was overvoted and of the effects of casting

VOTING SYSTEMS

multiple votes for an office or issue and must be provided the opportunity to correct the ballot before the ballot is cast. *[A.C.A. § 7-5-604(a)(5)(A), (6)(A)]*

Central Count/Count by Hand:

If a paper ballot voting system provides for votes to be counted at a central counting location or by hand at the polling sites, the county board of election commissioners must provide a voter education program to inform voters about the consequences of overvoting and how to correct the ballot before it is cast. *[A.C.A. § 7-5-604(a)(5)(C), (6)(C)]*

Custody

The county board of election commissioners shall have complete control and supervision of voting machines and electronic vote tabulating devices at all elections, but the county clerk shall have supervision of machines and devices used for early voting in the clerk's designated early voting location. *[A.C.A. § 7-5- 301(k), (l)]*

The county board is responsible for the proper preparation, use, maintenance, and care of all voting machines and electronic vote tabulating devices during the period of time required for an election. *[A.C.A. § 7-5- 301(m)(2)]*

The county board shall have the care and custody of all voting machines and electronic vote tabulating devices while not in use. *[A.C.A. § 7-5-301(m)(1)]*

TRAINING

Mandatory Statewide

The law requires the State Board of Election Commissioners to conduct statewide training of county election commissioners and poll workers before every May preferential primary election.

In complying with this statutory requirement, the State Board develops and revises training materials every two (2) years following regular legislative sessions to reflect all election law changes. The State Board also develops procedures for conducting training, monitoring attendance, and determining the method and amount of compensation for county election commissioners, for county trainers, and for poll workers. *[A.C.A. §§ 7-4-101(f)(2), (3); 7-4-109(e)]*

STATE BOARD RULES AND GUIDELINES ON TRAINING AND COMPENSATION

The State Board of Election Commissioners' rules for county election commissioners training, rules for poll worker training, guidelines addressing training compensation for county election commissioners, and guidelines on training compensation for trainers and poll workers are provided in the Forms section in the back of this manual.

County Election Commissioners:

The State Board provides each member of the county board of election commissioners with a copy of this comprehensive procedure manual developed and published by the State Board as a valuable resource and reference guide to assist county boards in fulfilling its statutory duties and its responsibility to conduct fair, orderly, and legal elections.

Poll Workers:

The law requires that for all regularly scheduled elections, at least one (1) poll worker at each polling site must have attended election training coordinated by the State Board within twelve (12) months before the election. *[A.C.A. § 7-4-107(b)(2)]*

The State Board's procedure for training poll workers requires each county board to designate two (2) qualified electors of its county to attend training conducted by the State Board for the purpose of being trained, tested, and certified by the State Board to train poll workers locally.

The county board for each county must then designate a minimum of two (2) poll workers per polling site to attend training conducted locally by the State Board-certified trainers. *[A.C.A. § 7-4-109(e)(1)]*

The State Board provides each trainer with a PowerPoint slide presentation, a trainers' guide developed and published by the State Board as a training tool and reference guide to be used by trainers both during the trainer's certification process and in training poll workers locally, and

TRAINING

with the equivalent of six (6) poll worker training guides per poll developed and published by the State Board for distribution to the county's poll workers who attend local training conducted by the county's State Board-certified trainers.

The training guides describe poll worker duties and responsibilities on election day, provide sample forms for gathering information on election day for legally required reporting on the conduct of elections, and contain "Quick Guides" for fast and easy reference on handling complicated election day procedures.

ABSENTEE AND EARLY VOTING

Authority

The county clerk has statutory authority over all absentee voting and over any early voting conducted by the clerk. *[A.C.A. § 7-5-401(a)]*

The county clerk shall be furnished a suitable room at the county courthouse or other location designated for absentee and early voting required by law of the county clerk. *[A.C.A. § 7-5-401(b)]*

In counties with dual county seats, the county clerk must conduct absentee voting in the courthouse or other room provided by the county and conduct early voting in each county seat if the county clerk conducts early voting under Ark. Code Ann. § 7-5-418. *[A.C.A. § 7-5-401(c)]*

Early Voting

Conduct:

Except as otherwise provided by law, early voting must be conducted in the same manner as voting on election day. Conduct that is prohibited or restricted on election day shall be prohibited and restricted on the days that early voting is conducted. *[A.C.A. § 7-5-418(f)]*

A poll watcher authorized under Ark. Code Ann. § 7-5-312 may be present during early voting for the purpose of determining whether or not votes are fairly and accurately cast. *[A.C.A. § 7-5-413(d)]*

Off-Site:

The county board of election commissioners is responsible for deciding whether to hold early voting at additional polling sites outside the county clerk's office. *[A.C.A. § 7-5-418(b)(1)(A)]*

If the county board votes to hold off-site early voting at one (1) or more conveniently located polling sites on the days and times required by law, the county clerk may choose not to hold early voting in his or her office. *[A.C.A. § 7-5-418(b)(3)(B)]*

The county board must notify the county clerk of its decision to hold off-site early voting within ten (10) days of its decision. *[A.C.A. § 7-5-418(b)(3)(A)]*

The county clerk must notify the county board of his or her decision not to conduct early voting in his or her office within ten (10) days of receipt of the county board's notice of holding off-site early voting. *[A.C.A. § 7-5-418(b)(3)(B)]*

The county board shall determine, by unanimous vote, the location of off-site early voting polls. *[A.C.A. § 7-5-418(b)(1)(B)]*

ABSENTEE AND EARLY VOTING

Voting locations must adequately allow an early voter to personally and secretly execute his or her ballot. *[A.C.A. § 7-5-418(e)]*

Dates and Times:

For the preferential primary and nonpartisan judicial general elections held in May and for the general and nonpartisan judicial general runoff elections held in November, early voting begins fifteen (15) days before the election from 8:00 a.m. to 6:00 p.m. on Monday through Friday, from 10:00 a.m. to 4:00 p.m. on Saturday, and ends at 5:00 p.m. on the Monday before the election. *[A.C.A. § 7-5-418(a)(1)(A)]*

If off-site early voting is held in addition to early voting conducted by the county clerk's office, off-site voting can take place on any Monday through Friday at any time between the hours of 8:00 a.m. and 6:00 p.m., on any Saturday at any time between the hours of 10:00 a.m. and 4:00 p.m. beginning fifteen (15) days before the election and ending no later than 5:00 p.m. on the Monday before the election. *[A.C.A. § 7-5-418(b)(1)(A)]*

For general primary (primary runoff) elections held in June, general runoff elections held in November, school elections held in September, and special elections, early voting begins seven (7) days before the election during regular county clerk office hours and ends on the day before the election at the time the county clerk's office regularly closes. *[A.C.A. § 7-5-418(a)(2)]*

If off-site early voting is held in addition to early voting conducted by the county clerk's office, off-site voting can take place on any of the days and times during regular county clerk office hours beginning seven (7) days before the election and ending on the day before the election no later than the time the county clerk's office regularly closes. *[A.C.A. § 7-5-418(b)(1)(A)]*

Early voting shall not be held on state or county holidays in any election. *[A.C.A. § 7-5-418(a)(1)(B)]*

Poll Workers:

The county board shall appoint poll workers for any off-site early voting polling site in the same manner as poll workers are appointed for election day. *[A.C.A. § 7-5-418(b)(2)]*

Public Notice:

At least twenty (20) days before the preferential primary and nonpartisan judicial general elections held in May and the general and nonpartisan judicial general runoff elections held in November; at least ten (10) days before primary runoff elections held in June, general runoff elections held in November, and any special election; and again at least five (5) days before all elections, the county board shall publish in a newspaper of general circulation in the county the places and times for early voting, along with all other public notices required by Ark. Code Ann. § 7-5-202. *[A.C.A. § 7-5-202(a)(3), (b)(1)]*

Voting Machines:

At least sixteen (16) days before preferential primary and nonpartisan judicial general elections held in May and general and nonpartisan judicial general runoff elections held in November and at least eight (8) days before primary runoff elections held in June, general runoff elections held in November, school elections held in September, and any special elections, the county board of

ABSENTEE AND EARLY VOTING

election commissioners must place at least one (1) voting machine equipped for use by voters with disabilities at the county clerk's designated early voting location and at any off-site polling locations established by the county board. *[A.C.A. §§ 7-5-413(a)(1); 7-5-418(a)]*

Ballots, Machines, and Materials:

All voted ballots, all unvoted ballots, and all election materials at an off-site early voting location must be stored in a secure location in the county courthouse or in a secure location determined by the county board immediately after the poll closes each day that early voting is conducted at the off-site poll. *[A.C.A. § 7-5-418(b)(5)]*

At the close of each day of early voting and when early voting is concluded, the clerk at the county clerk's designated early voting location and poll workers at any off-site early voting poll must secure the voting machines against further voting. *[A.C.A. § 7-5-413(b)]*

After completion of the canvass of early votes cast by voting machines, the machines must be secured and remain inaccessible to voting. *[A.C.A. § 7-5-413(c)(1)]*

Absentee Voting

Rejected Absentee Applications:

Absentee applications that are improperly signed, rejected by the county clerk, and for which the applicant cannot be reached for resolution will be forwarded to the county board of election commissioners for determination as to whether the applicant is a qualified elector. *[A.C.A. § 7-5-409(a)]*

Dates:

For 2010, absentee voting begins no later than thirty-five (35) days before the preferential primary and nonpartisan judicial general elections held in May, the general and nonpartisan judicial general runoff elections held in November (except for military overseas voters), the school election held in September, and any special elections. *[A.C.A. § 7-5-407(a); Federal MOVE Act of 2009]*

For 2010, absentee voting begins no later than ten (10) days before the general primary (primary runoff) election held in June and the general runoff election held in November. *[A.C.A. § 7-5-407(b)]*

For 2010, absentee voting for military overseas voters for the general election held in November begins no later than forty-five (45) days before the election. *[Federal MOVE Act of 2009]*

Thereafter, absentee voting for military overseas voter for all federal elections must begin no later than forty-five (45) days before the election. *[Federal MOVE Act of 2009]*

Appointing Absentee Election Clerks:

The county board shall appoint election clerks to process, count, and canvass absentee ballots in the same manner and at the same time that poll workers are selected for election day. *[A.C.A. § 7-5-414]*

ABSENTEE AND EARLY VOTING

The election clerks must possess the same qualifications as the poll workers working election day polls. [A.C.A. § 7-5-414(b)(2)]

Public Notice:

At least twenty (20) days before preferential primary and nonpartisan judicial general elections held in May and general and nonpartisan judicial general runoff elections held in November and at least ten (10) days before primary runoff elections held in June, general runoff elections held in November, and any special elections, the county board must give public notice in a newspaper of general circulation in the county of the time and location of the opening, processing, canvassing, and counting of absentee and early voting ballots. [A.C.A. §§ 7-5-202(a)(6); 7-5-416(a)(2)]

Ballots:

The county board is responsible for providing county clerks with ballots for absentee and early voting as soon as possible and no later than either forty-five (45) days, thirty-five (35) days, or ten (10) days before an election, as the case may be (see the Date subsection under the Absentee Voting section on the previous page). [A.C.A. §§ 7-5-211(c); 7-5-407]

The county board shall also prepare a special absentee ballot for qualified electors of this state who are temporarily outside the territorial limits of the United States. This special absentee ballot shall be marked “special runoff ballot” and shall permit the absentee voter to vote in the primary runoff election or general runoff election by indicating his or her order of preference for each candidate for each office. [A.C.A. § 7-5-406(c)]

The special runoff ballot and instructions shall be sent by the county clerk along with the absentee voter’s absentee ballot for the primary election and for the general election. [A.C.A. § 7-5-406(c)]

The county board shall not prepare a special absentee runoff ballot for nonpartisan judicial elections. [A.C.A. § 7-5-406(c)(1)(B)]

Counting Votes

Procedure:

Processing, counting, and canvassing of absentee ballots shall be conducted under the supervision and direction of the county board of election commissioners on election day in a place in the courthouse designated by the county board. [A.C.A. §§ 7-5-414(c); 7-5-416(a)(1)]

Absentee and early ballots may be counted according to Ark. Code Ann. § 7-5-416 before the polls close on election day, but no election results can be printed or released until after the polls close. [A.C.A. § 7-5-416(a)(5), (b)(2), (d)]

Election officials shall canvass the voting machine vote for early voting in the same manner provided for regular polling sites and return the results of the canvass to the county board to be tabulated and canvassed with and in the same manner as the other election precinct returns. [A.C.A. § 7-5-413(c)]

ABSENTEE AND EARLY VOTING

The processing and counting of absentee and early votes shall be open to the public, and any candidate or qualified poll watcher may be present according to Ark. Code Ann. § 7-5-312 during the opening, processing, canvassing, and counting to challenge the vote in the manner provided by law for personal voting challenges and to observe the canvass of the results of the election for the purpose of determining whether or not votes are fairly and accurately counted. *[A.C.A. §§ 7-5-312; 7-5-316(a); 7-5-413(d); 7-5-416(a)(4); 7-5-417(a); 7-5-527(a); 7-5-615(a)]*

Ballots Counted:

Absentee ballots delivered to the county clerk in person by the voter must be received by the close of regular business hours on the day before the election to be counted. *[A.C.A. § 7-5-411(a)(3)]*

Absentee ballots delivered to the county clerk by a designated bearer, administrator, or authorized agent that are received by 7:30 p.m. on election day are counted only upon proper verification of the voter's signature and validation of the authorized agent's identity. *[A.C.A. § 7-5-411(a)(2)]*

Except for absentee ballots of qualified electors outside the United States and of uniformed services personnel serving in active status, absentee ballots that are mailed must be received by the county clerk by 7:30 p.m. on election day to be counted. *[A.C.A. § 7-5-411(a)(1)(A)]*

To be counted, absentee ballots of qualified electors outside the United States on election day must be signed, dated, postmarked, and mailed no later than the day of the election and received by the county clerk no later than 5:00 p.m. ten (10) days after the election. *[A.C.A. § 7-5-411(a)(1)(B)(i)]*

Absentee ballots of active duty uniformed services personnel will be counted if executed no later than the date of the election and received by the county clerk no later than 5:00 p.m. ten (10) days after election day. *[A.C.A. § 7-5-411(a)(1)(B)(ii)]*

Absentee ballots mailed in bulk by a hospital or an administrator of a long-term care or residential care facility licensed by the state shall be counted. *[A.C.A. § 7-5-411(a)(1)(C)]*

Ballots Not Counted:

Absentee ballots mailed in bulk by anyone other than a hospital or an administrator of a long-term care or residential care facility licensed by the state shall not be counted. *[A.C.A. § 7-5-411(a)(1)(C)]*

The ballot of any absentee voter who dies before the polls open on election day shall not be counted. *[A.C.A. § 7-5-416(c)]*

The ballot of any absentee voter whose voter statement is not returned or is not in proper form shall not be counted. *[A.C.A. §§ 7-5-409(b)(4); 7-5-416(b)(1)(G); 7-5-417(b)]*

If the county board determines that the application and voter statement do not compare as to name, address, date of birth, and signature, the absentee ballot shall not be counted. *[A.C.A. § 7-5-416(b)(1)(F)(ii)]*

ABSENTEE AND EARLY VOTING

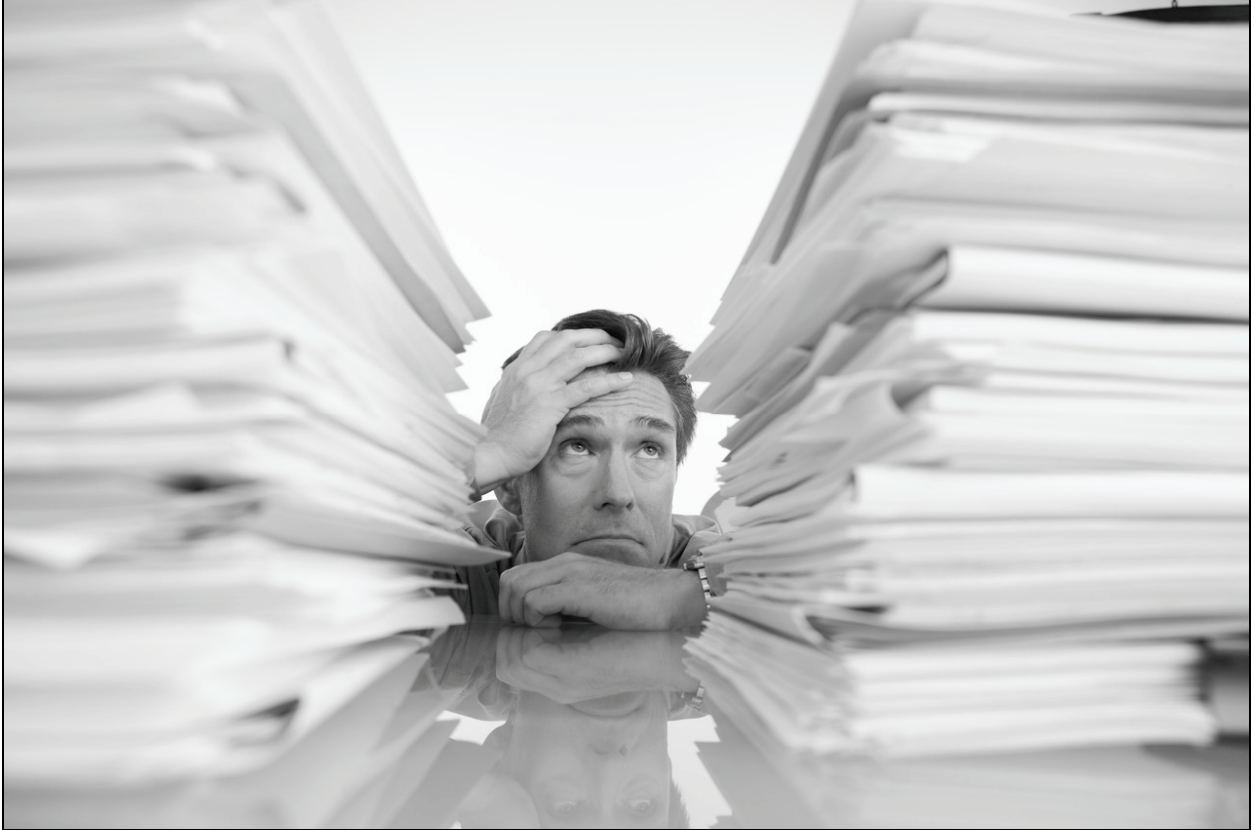
Special Runoff Ballots:

“Special runoff ballots” cast for the primary runoff election that are returned with the absentee voter’s primary ballot are counted in the primary runoff election. *[A.C.A. § 7-5-416(f)(4)]*

“Special runoff ballots” cast for the general runoff election that are returned with the absentee voter’s general election ballot are counted in the general runoff election. *[A.C.A. § 7-5-416(f)(4)]*

The Secretary of State shall provide the county board with instructions for opening, counting, and canvassing absentee “special runoff ballots.” *[A.C.A. § 7-5-416(f)(5)]*

PRE-ELECTION DAY



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ELECTION PRECINCTS

Establishing and Altering Precincts by Order

The county board of election commissioners shall establish precincts and by order may alter the boundaries of existing election precincts and establish new ones. [A.C.A. §§ 7-5-101(a)(1))A), (b)(1); 7-7-303]

Written Description/Map:

The order shall contain a written description and map of the boundaries of the precincts that were altered or established and will not be effective until it has been filed with the county clerk. [A.C.A. § 7-5-101(b)(3)]

Records:

Within thirty (30) days after the boundaries of an election precinct are altered or a new election precinct is established, the county clerk shall submit five (5) copies of the changes, in the form of a map and written descriptions to the Secretary of State. [A.C.A. § 7-5-101(c)(1)]

Upon receipt of the changes, the Secretary of State immediately shall forward a copy to the Office of the Attorney General, Census State Data Center, and Cartography Section of the Arkansas State Highway and Transportation Department. [A.C.A. § 7-5-101(c)(2)]

Preferential Primary Elections

Election precincts in all political party primary elections shall be the same as established by the county board of election commissioners for general elections. [A.C.A. § 7-7-303]

Restrictions

A precinct shall not be altered nor can a new precinct be created by the county board of election commissioners less than thirty (30) days before an election, except in the event of an emergency as determined by the county board. [A.C.A. § 7-5-101(b)(2)]

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POLLING SITES

Designation

The county board of election commissioners must designate a polling site for each precinct. *[A.C.A. § 7-5-101(a)(1)(B)(i)]*

Combined Precincts:

A polling site may serve two (2) or more precincts or parts of precincts. *[A.C.A. § 7-5-101(a)(1)(B)(ii)]*

Unanimous Vote of County Board:

Designation of polling sites requires a unanimous vote of the members of the county board that are present at the public meeting, except as provided for school elections in Ark. Code Ann. § 6-14-106. *[A.C.A. § 7-5-101(a)(2)]*

Joint Primary Elections/Common Polls:

The county board shall establish common polling places for the joint conduct of the primary elections of all political parties. *[A.C.A. § 7-7-202(d)]*

Location:

The county board must provide voting locations that are accessible to voters with disabilities and must provide reasonable and adequate methods for voters with disabilities to personally and secretly execute their ballots at the polling places. *[A.C.A. § 7-5-311(a)]*

Each county shall provide polling places adequate for the operation of the county's voting system, including without limitation access to a sufficient number of electrical outlets and telephone lines, if necessary. *[A.C.A. § 7-5-301(f)]*

ADA Compliance:

The county boards are responsible for compliance with Ark. Code Ann. § 7-5-311 and with Public Law 98-435, Title II of Public Law 101-336, the Americans with Disabilities Act, and the Help America Vote Act regarding the accessibility of voting locations for voters with disabilities. *[A.C.A. § 7-5-311(d)(1)]*

STATE BOARD ASSISTANCE ON ADA COMPLIANCE

The State Board of Election Commissioners assists local election authorities with the implementation of Title II requirements of the Americans with Disabilities Act and with the Title III requirements of the Help America Vote Act regarding accessibility for voters with disabilities. *[A.C.A. § 7-5-311(b)]*

Before each general election, the State Board mails each county detailed and comprehensive written directives relating to and based upon Title II of the Americans with Disabilities Act guiding county boards of election commissioners in the preparation of forms for evaluating and reporting on the accessibility of the county's polling sites. Based upon information provided by the counties to the State, the State Board compiles a report demonstrating compliance by the county election authorities.

Reduction/No Poll

If there are no opposed races and no other ballot issues to be decided at a primary election, the county board of election commissioners may reduce the number of polling places or open no polling places on election day. *[A.C.A. § 7-7-313]*

The election shall be conducted by absentee ballot and early voting only. *[A.C.A. § 7-7-313]*

Restrictions

Unless changed by order of the county board of election commissioners, the polling sites for each election shall be the same as those established for the immediately preceding general election, except as provided in Ark. Code Ann. § 6-14-106 for school elections. *[A.C.A. § 7-5-101(d)(1)]*

A polling site shall not be changed by the county board less than thirty (30) days before an election, except in the event of an emergency. *[A.C.A. § 7-5-101(d)(2)]*

ELECTION OFFICIALS

Defined

Election officials include persons designated by the county board of election commissioners to serve as poll workers and persons representing the majority and minority party, if possible, who are designated by the county board to tabulate votes at a central counting location. [A.C.A. §§ 7-1-101(10); 7-5-615(c)]

Selection/Appointment

The county board of election commissioners must select and appoint a sufficient number of poll workers for each polling site at least twenty (20) days before the election. [A.C.A. §§ 7-4-107(b)(1); 7-7-302]

Number:

Each polling site shall have a minimum of two (2) election clerks, one (1) election judge, and one (1) election sheriff. [A.C.A. § 7-4-107(b)(2)]

Split Shifts:

A poll worker may be permitted by the county board to work half-day or split shifts at a poll on election day, if the required number of poll workers is always present. [A.C.A. § 7-4-107(d)]

Minority Party Representation:

The minority party member of the county board may designate one (1) fewer poll workers than the majority of poll workers at each polling site, with a minimum of two (2) per poll. [A.C.A. § 7-4-107(b)(2)]

Failure to Agree on Selection:

If the county party representatives on the county board fail to agree on any poll worker to fill any election post allotted to that respective party by the deadline for selecting and appointing poll workers, then the county board shall appoint the remaining poll workers. [A.C.A. § 7-4-107(b)(2)]

Poll Workers

Qualifications:

To serve as a poll worker, **the poll worker must be:**

- A qualified elector of the state (see the definition on page 5); [A.C.A. § 7-4-109(a)(1)]
- Able to read and write the English language; and [A.C.A. § 7-4-109(a)(1)]
- A resident of the precinct that he or she will serve at the time of appointment, unless it is impossible to obtain qualified poll workers for any precinct, in which case, the county board can, by unanimous vote, designate other qualified citizens of the county to serve in the precinct. [A.C.A. § 7-4-109(b)]

ELECTION OFFICIALS

At least two (2) poll workers per polling site must attend election training coordinated by the State Board of Election Commissioners prior to each preferential primary election held in May. *[A.C.A. § 7-4-109(e)(1)]*

Disqualifications:

A poll worker must not:

- Have been found or pled guilty or nolo contendere to the violation of any election law of this state; *[A.C.A. § 7-4-109(a)(1)]*
- Be a paid employee of any political party; *[A.C.A. § 7-4-109(c)(1)]*
- Be a paid employee of any person running for any office on the county's ballot; *[A.C.A. § 7-4-109(c)(1)]*
- Be a candidate for any office to be filled at any election while serving as a poll worker; and *[A.C.A. § 7-4-109(a)(2)]*
- Be married to or related within the second degree of consanguinity to any candidate running for office in the current election, if objection is made to the county board of election commissioners within ten (10) days after the list of officials is posted. *[A.C.A. § 7-4-109(d)]*

Paid Employee of School District:

A person qualified under Arkansas law to serve as a poll worker who is a paid employee of a school district holding a school election shall be disqualified from serving as a poll worker in the school district holding the election. *[A.C.A. § 6-14-106(f)(2)]*

College and High School Students

Special Election Day Program:

The county board of election commissioners may conduct a special election day program for college and high school students in one (1) or more polling places designated by the county board according to Ark. Code Ann. §§ 7-4-116 and 7-4-117.

High school and college students under eighteen (18) years of age on the election day in which participating shall serve as volunteer election pages without compensation.

High school and college students at least eighteen (18) years of age on the election day in which participating who meet all other qualifications of a poll worker shall serve as poll workers. High school students may be compensated, and college students shall be compensated for serving as poll workers.

Compensation

Election officials shall receive a minimum of the prevailing federal minimum wage for holding an election, or a greater amount as may be appropriated. *[A.C.A. § 7-4-112(a)]*

ELECTION OFFICIALS

Election officials carrying election materials to and from the polling sites shall be allowed mileage at the rate appropriated, but not more than the rate prescribed for state employees in state travel regulations. *[A.C.A. § 7-4-112(b)]*

The county board of election commissioners shall certify to the county court the per diem of election officials and the mileage of the election officials carrying the returns to the county board for allowance. *[A.C.A. § 7-4-107(c)]*

STATE BOARD RULES AND GUIDELINES

For state-funded elections, the State Board of Election Commissioners has promulgated rules under the Administrative Procedure Act and developed guidelines establishing election official compensation. *[A.C.A. § 7-7-201(a)]*

The State Board of Election Commissioners' rules for reimbursement of state-funded election expenses and its guidelines for seeking reimbursement from the State Board for a May preferential primary election, for a June primary runoff election, for a statewide special election, and for a special primary election are provided in the Forms section in the back of this manual.

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PUBLIC NOTICES

Written Notices

Drawing for Ballot Position:

For preferential primary elections, each county board of election commissioners must hold a public meeting to draw for ballot position at least sixty-five (65) days before the election. [A.C.A. § 7-7-305(b)]

The county board must give at least ten (10) days' written notice of the time and place of the meeting to draw for ballot position to the chairs of the county committees, if the chairs are not members of the county board. [A.C.A. § 7-7-305(b)]

Newspaper Publications

Drawing for Ballot Position:

The county board of election commissioners must publish the notice of holding a public meeting to draw for ballot position in a newspaper of general circulation in the county at least three (3) days before the meeting. [A.C.A. § 7-7-305(b)]

Voting Machine Preparation:

Before voting machine preparation can begin, the county board must publish a notice in a newspaper of general circulation in the county stating the time and place voting machines will be prepared for the election and of a time that the machines may be inspected by one (1) representative of each candidate. [A.C.A. § 7-5-516]

Voting Machine Testing:

The county board must publish a notice of the time and place of testing voting machines at least forty-eight (48) hours before the testing by publication one (1) time in one (1) or more daily or weekly newspapers in the town, city, or county using the voting machines. [A.C.A. § 7-5-515(c)(2)]

Electronic Vote Tabulating Device Testing:

The county board must publish a notice of the time and place of testing electronic vote tabulating devices at least forty-eight (48) hours before the testing by publication one (1) time in one (1) or more daily or weekly newspapers in the town, city, or county using the devices. [A.C.A. § 7-5-611(a)(3)]

Notice of Election:

At least twenty (20) days before preferential primary and nonpartisan judicial general elections held in May and general and nonpartisan judicial general runoff elections held in November, the county board must publish public notice of the election in a newspaper of general circulation in the county. [A.C.A. § 7-5-202(a)]

PUBLIC NOTICES

At least ten (10) days before primary runoff elections held in June, general runoff elections held in November, and any special elections, the county board must publish public notice in a newspaper of general circulation in the county. *[A.C.A. § 7-5-202(a)]*

At least five (5) days before all elections, the public notice of the election must be published a second time in a newspaper of general circulation in the county. *[A.C.A. § 7-5-202(b)(1)]*

Public Notice of Election Content:

The public notice of the election shall contain the date of the election, the hours of voting on election day, the places and times for early voting, polling sites for holding the election in the county, the candidates and offices to be elected, and the time and location of opening, processing, canvassing, and counting ballots. *[A.C.A. § 7-5-202(a)]*

Postings

List of Appointed Election Officials:

At least fifteen (15) days before the election, the county board of election commissioners must post the list of appointed election officials in a public place in its county clerk's office. *[A.C.A. § 7-5-202(b)(2)]*

Nominations/Amendments/Measures/Questions:

At least ten (10) days before the general election, the county board must post a list at the door of the courthouse of all nominations, of all proposed amendments to the Arkansas Constitution, and of all other measures and questions required by law to be submitted to the electors. *[A.C.A. § 7-5-206]*

Polling Site Changes:

Notice to the electors of any changes in polling sites shall be posted at all previous polling sites used in the last election. *[A.C.A. § 7-5-101(d)(1)]*

Mailings

Except for school and special elections, the county clerk shall mail the notice of any changes in polling sites to each affected registered voter at least fifteen (15) days before the election. *[A.C.A. § 7-5-101(d)(2)]*

POLITICAL PARTY CANDIDATES

Qualifications

Each political party is responsible for determining the qualifications of candidates seeking nomination by the political party and for providing, accepting, and processing applications for candidacy. *[A.C.A. §§ 7-7-201(b)(4); 7-7-307]*

Filing Procedure

Affidavit of Eligibility:

Each candidate must file a signed affidavit of eligibility stating that he or she is eligible to serve in the office sought with either the secretary of the state or county committee of the political party, as the case may be. *[A.C.A. §§ 7-1-101(2); 7-7-301]*

Party Filing Fee:

Each candidate must pay the party filing fee set by the state executive or county committee, as the case may be, imposed by the political party on a candidate seeking the party's nomination, if any. *[A.C.A. § 7-7-301(a)]*

Party Certificate:

Each candidate must obtain a party certificate signed by the secretary or chair of the state or county committee of the political party, as the case may be, that evidences the name and title proposed to be used by the candidate on the ballot, the position the candidate seeks, payment of the fee, if any, and filing of the party pledge, if any, required by the political party. *[A.C.A. §§ 7-1-101(19); 7-7-301(c)]*

Political Practices Pledge:

Each candidate must file a political practices pledge with the Secretary of State or county clerk, as the case may be, stating that the candidate is familiar with the requirements of Arkansas law regarding unlawful election activities and their penalties, and that he or she will, in good faith, comply with the terms of the law. *[A.C.A. § 7-6-102(a)(1)]*

Party Filing Period:

The affidavit of eligibility and party pledge, if any, shall be filed and the filing fee, if any, shall be paid to the secretary of the state or county committee of the political party, as the case may be, during the party filing period. *[A.C.A. §§ 7-7-203(c)(1); 7-7-301(a)]*

The party certificate and political practices pledge shall be filed with the Secretary of State or the county clerk, as the case may be, during the party filing period. *[A.C.A. §§ 7-1-101(20); 7-6-102(a)(1); 7-7-203(c)(2)]*

Ballot

Certified List of Party Candidates:

At least seventy (70) days before the preferential primary election, the Secretary of State shall certify to the various county committees and to all county boards of election commissioners a list of the names of all candidates to be placed on the ballots at the primary election who have filed party certificates with the Secretary of State within the time required by law. [A.C.A. §§ 7-7-203(d)(1); 7-7-301(d); 7-7-304(a)(1)]

At least seventy (70) days before the preferential primary election, the county clerk shall certify to his or her county committee and county board a list of the names of all candidates to be placed on the ballots at the primary election who have filed party certificates with the county clerk within the time required by law. [A.C.A. §§ 7-7-203(d)(2); 7-7-304(b)(1)]

Names on Ballot:

Any political party candidate who fails to file the party pledge and affidavit of eligibility and pay the party filing fee as provided by law shall not receive a party certificate. [A.C.A. §§ 7-7-203(c)(3); 7-7-301(c)]

If a party certificate is not filed by the filing deadline with the Secretary of State or county clerk, as the case may be, the name of the candidate shall not be placed on the primary ballot. [A.C.A. §§ 7-7-203(c)(3); 7-7-301(c)]

No political practices pledge may be accepted for filing by the Secretary of State or the county clerk, as the case may be, unless the political party candidate first files a party certificate. [A.C.A. § 7-7-301(b)]

Any candidate who fails to sign and file a political practices pledge shall not be placed on the ballot. [A.C.A. § 7-6-102(e)(1)]

CERTIFICATION

Nomination

Political Party Nominees:

Upon certifying the results of the primary election no later than ten (10) days after the primary election, each county board of election commissioners shall certify to its county clerk, to its county committee, and to the state committee a list of all candidates who were nominated at the primary election for county, township, and municipal offices, together with the political parties' county committee members and delegates. *[A.C.A. §§ 7-7-203(g)(1); 7-7-401(a), (c)]*

At least eighty (80) days before the general election, each county committee shall submit to its county clerk the certified list of its candidates who were nominated at the primary election for county, township, and municipal offices. *[A.C.A. § 7-7-203(h)(2)(B)(i)]*

At least seventy (70) days before each general election, including nonpartisan judicial general elections held in May, the county clerk of each county shall certify to his or her county board a full list of all candidates to be voted for in the county at the general election. *[A.C.A. § 7-5-203(b)(1)]*

Upon certifying the results of the primary election no later than ten (10) days after the primary election, each county board shall certify to the Secretary of State and to the secretary of the state committee the results of the county's contests for all federal, state, judicial, and district offices. *[A.C.A. §§ 7-7-203(g)(2); 7-7-401(a); 7-7-402(a)(1)]*

Immediately after determining statewide results for all federal, state and district offices, the Secretary of State shall certify to the state committee a list of all candidates who were nominated at the primary election for the offices. *[A.C.A. § 7-7-203(g)(2)]*

At least seventy (70) days before each general election, including nonpartisan judicial general elections held in May, the Secretary of State shall certify to all county boards full lists of all candidates to be voted for in their respective counties at the general election. *[A.C.A. § 7-5-203(a)(1)]*

Political party nominees chosen by convention as authorized by law are certified by the chair and secretary of the convention. *[A.C.A. § 7-7-401(d)(1)]*

Nonpartisan Judicial Candidates:

Nomination as a nonpartisan judicial candidate for Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, or district judge shall be considered certified upon the candidate's filing with the Secretary of State or the county clerk, as the case may be, a political practices pledge and either paying a filing fee or upon determination that sufficient signatures were obtained by petition. *[A.C.A. §§ 7-6-102(a)(5),(6); 7-7-401(e)(1); 7-10-103(b),(c)]*

CERTIFICATION

Independent Candidates:

A person desiring to have his or her name placed on the ballot at the general election as an independent candidate without political party affiliation for United States Senate, United States House of Representatives, state, county, township, or district office must file during the party filing period for the year in which the election is to be held, a political practices pledge, an affidavit of eligibility, and a notice of candidacy stating the name and title the candidate proposes to appear on the ballot and identifying the elective office sought, including the position number, if any. *[A.C.A. § 7-7-103(a)]*

Nomination as an independent candidate for election to office without political party affiliation shall be certified by petition of electors as authorized by law under Ark. Code Ann. § 7-7-103. *[A.C.A. § 7-7-401(e)(2)]*

Write-in Candidates

United States Senate, United States House of Representatives, State, and District Office:

A write-in candidate must give written notice to the county board of election commissioners of each county in which the candidate seeks election and file with the Secretary of State the notice of write-in candidacy, a political practices pledge, and an affidavit of eligibility for the office no earlier than noon on the last day of the party filing period and not later than ninety (90) days before the general election held in November. *[A.C.A. § 7-5-205]*

County and Township Office:

A write-in candidate must give written notice to the county board and file with the county clerk the notice of write-in candidacy, a political practices pledge, and an affidavit of eligibility for the office no earlier than noon on the last day of the party filing period and not later than ninety (90) days before the general election held in November. *[A.C.A. § 7-5-205]*

Nonpartisan Judicial Office of Justice of the Supreme Court, Judge of the Court of Appeals, and Circuit Judge:

A write-in candidate must give written notice of his or her intention to be a write-in candidate to the county board and the Secretary of State no later than sixty (60) days before the nonpartisan judicial general election held in May. *[A.C.A. § 7-10-103(d)]*

Nonpartisan Judicial Office of District Judge:

A write-in candidate must give written notice of his or her intention to be a write-in candidate to the county board and the county clerk no later than sixty (60) days before the nonpartisan judicial general election held in May. *[A.C.A. § 7-10-103(d)]*

Multiple Candidacies

Prohibition:

A person who files as a candidate for nomination by a political party is ineligible to be the nominee of any other political party for the same office during the primary election or the

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following general or special election and ineligible to be an independent or write-in candidate for the same office at the general or special election. *[A.C.A. §§ 7-7-204(a); 14-42-206(b)(6)]*

A person who is certified as an independent candidate is ineligible to be a write-in candidate or the nominee of any political party for the same office at the same general or special election. *[A.C.A. § 7-7-204(b)]*

Measures and Questions

State:

At least seventy (70) days before the general election, the Secretary of State shall certify to all county boards of election commissioners for posting and placement on the ballot proposed amendments to the Arkansas Constitution and other measures or questions to be submitted to a vote of the people regardless of whether the sufficiency of a petition has been determined or whether challenged in a court of competent jurisdiction. *[A.C.A. § 7-5-204]*

Not less than eighteen (18) days before the general election, the Secretary of State must furnish the county boards a certified copy of the ballot title and popular name of each proposed measure and referred act to be voted upon. *[A.C.A. § 7-9-115]*

Local:

At least seventy (70) days before the general election, the county clerk must certify the sufficiency of all initiative and referendum petitions to the county board in order to be included on the general election ballot. *[A.C.A. § 14-14-915(b)(3)]*

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Opposed Candidates

County Committee:

For primary elections, the names of candidates seeking election as members of the county committee who have filed a pledge and paid the filing fee, if required, and who are opposed shall be placed on the ballot. *[A.C.A. § 7-3-104(a)(2)(A)]*

Unopposed Candidates

Primary Elections:

A candidate who runs unopposed for a position on the county committee is omitted from the primary election ballot and the candidate is selected to serve in that position on the county committee in the same manner as if elected at the primary election. *[A.C.A. § 7-3-104(a)(2)(B)]*

Except for unopposed candidates seeking election as members of the county committee the names of unopposed candidates running for elective office, along with the office sought, shall be placed on political party primary election ballots. *[A.C.A. § 7-7-304(d)]*

General Elections:

For general elections, the names of unopposed candidates for the office of mayor and the names of unopposed candidates for the office of circuit clerk shall be placed on the general election ballot separately from all other unopposed candidates on the ballot, and the votes for each contest shall be tabulated as in all contested races. *[A.C.A. §§ 7-5-207(a)(2)(B), (a)(3)(B); 7-5-315; 14-42-206(c)(2)]*

All other unopposed candidates for municipal offices shall be declared and certified elected without being placed on the general election ballot. *[A.C.A. §§ 7-5-207(a)(2)(A); 14-42-206]*

The names and office of all remaining unopposed candidates, including unopposed write-in candidates, shall be grouped together on the ballot and the grouping must be labeled “Unopposed Candidates”. *[A.C.A. § 7-5-207(a)(3)(A)(i),(ii)]*

A voter may cast a vote for all the unopposed candidates listed in the grouping by placing an appropriate mark by the label. *[A.C.A. § 7-5-207(a)(3)(A)]*

Certified Nominations

Except as provided by law for unopposed candidates, all election ballots provided by the county board of election commissioners of any county in this state for any election shall contain in the proper place the name of every candidate whose nomination for any office to be filled at that

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election has been certified to the county board and shall not contain the name of any candidate or person who was not certified. *[A.C.A. 7-5-207(a)(1)]*

Only the names of candidates who are qualified and eligible to hold the office sought at the time of filing, or as otherwise may be provided by law, shall be placed upon the ballot. If ineligible at the time of filing due to age alone, the candidate shall be placed on the ballot if the age requirement is met at the time of taking office. *[A.C.A. § 7-5-207(b)]*

Form of Ballots

Alike:

Ballots provided by the county board of election commissioners for an election shall be alike and shall be in plain type, however, a different color ballot may be used at primary elections to distinguish between political parties. *[A.C.A. §§ 7-5-208(a); 7-5-601(a); 7-7-305(a)]*

Ballot Heading:

The heading of each ballot shall be: "OFFICIAL BALLOT (description) ELECTION (date), (year) Vote by placing an appropriate mark opposite the person for whom you wish to vote." *[A.C.A. §§ 7-5-208(b)(1); 7-5-601(d)(1)]*

If the ballot contains an initiated or referred amendment, act, or measure, the heading shall also contain these words, "Vote on amendments, acts, and measures by placing an appropriate mark below the amendment (or act or measure) either FOR or AGAINST." *[A.C.A. §§ 7-5-208(b)(2); 7-5-601(d)(2)]*

Ballot Instructions:

Paper ballots must contain printed instructions beneath the heading of each ballot informing the voter of the effect of casting multiple votes for an office and how to correct the ballot before it is cast and counted, including instructions on how to correct an error through the issuance of a replacement ballot if the voter was otherwise unable to change the ballot or correct an error. *[A.C.A. §§ 7-5-208(d), (e); 7-5-601(e)]*

If instructions about the use of marking devices are included on the ballot, please consult with the county clerk to avoid any confusion for absentee voters.

Form of Candidate Names and Titles:

The Secretary of State must review either political practices pledges, if timely filed, or party certificates if the political practices pledge is not timely filed, and certify the form in which the names and titles of candidates filing for federal, state, and district offices will appear on the ballot. *[A.C.A. § 7-7-305(c)(2), (3)(A)]*

The Secretary of State must review the political practices pledges for nonpartisan judicial candidates filing for the office of Supreme Court, Court of Appeals, and circuit court and certify the form in which the candidates' names and titles will appear on the ballot. *[A.C.A. § 7-10-103(f)(2), (3)]*

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The county boards must review either political practices pledges, if timely filed, or party certificates if the political practices pledge is not timely filed, and certify the form in which the names and titles of candidates filing for county, township, school, and municipal office will appear on the ballot. *[A.C.A. § 7-7-305(c)(2), (3)(A)]*

The county boards must review the political practices pledges for nonpartisan judicial candidates filing for the office of district court and certify the form in which the candidates' names and titles will appear on the ballot. *[A.C.A. § 7-10-103(f)(2), (3)]*

The name of every candidate shall be placed on the ballot in the form certified by either the Secretary of State or the county board. *[A.C.A. §§ 7-7-305(c)(3)(A); 7-10-103(f)(3)]*

If the ballot lacks enough space for the requested title, the county board may substitute an abbreviated title and must immediately notify the affected candidate. *[A.C.A. § 7-7-305(c)(3)(B), (C); 7-10-103(f)(3)(B), (C)]*

A candidate shall not be permitted to change the form in which his or her name will be placed on the ballot after the deadline for filing the political practices pledge. *[A.C.A. §§ 7-7-305(c)(4); 7-10-103(f)(4)]*

STATE BOARD GUIDELINES FOR BALLOT NAME CERTIFICATION

The State Board of Election Commissioners has developed guidelines to assist the Secretary of State and the county boards of election commissioners in reviewing candidate names and titles according to Ark. Code Ann. § 7-7-305(c).

The State Board's Guidelines for Ballot Name Certification offer guidance on use of given names, nicknames, professional or honorary titles, and titles of elective public offices and are provided in the Forms section in the back of this manual.

Listing of Candidate Names:

The name of each candidate who has been nominated or has qualified as required by law shall be listed on the ballot in a perpendicular column under the name of each office to be filled. *[A.C.A. § 7-5-208(c)(1)]*

Order of Names on Ballot:

The county board shall hold a public meeting not less than sixty-five (65) days before the preferential primary and nonpartisan judicial general elections held in May and before the general election held in November and determine by lot the order that the names of candidates will appear on the ballot. *[A.C.A. § 7-5-207(c)(1); 7-7-305(b)]*

For runoff elections, the ballot order for eligible candidates shall be the same as for the previous election leading to the runoff. *[A.C.A. § 7-5-207(c)(3);]*

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Party Designation:

Except for a nonpartisan judicial election or nonpartisan municipal election, beside each candidate's name shall be his or her party designation or the term "INDEPENDENT", as the case may be. *[A.C.A. § 7-5-207(d)]*

President and Vice President:

The names of the candidates for President and the names of the candidates for Vice President along with their political party designation shall be placed on the ballot rather than the names of the candidates for electors. *[A.C.A. § 7-8-302(4)]*

Votes cast for the names of President and Vice President shall not be considered as a direct vote for the candidates, but as a vote for the list of electors chosen by the respective political parties. *[A.C.A. § 7-8-302(4)]*

Write-in Candidates:

For elections in which votes for a write-in candidate will be counted, the ballot shall contain a blank line for a possible write-in vote below the list of candidates.

The blank line is provided for only those positions or offices for which a person has qualified as required by law to be a write-in candidate. *[A.C.A. §§ 7-5-208(c)(2); 7-5-610]*

Ballot Title/Popular Name:

The ballot title of a proposed constitutional amendment shall be the ballot title of the joint resolution of the General Assembly proposing the amendment to the Arkansas Constitution. *[A.C.A. § 7-9-204]*

The ballot title and popular name of each proposed state measure and each referred act shall be placed on the ballot as certified to the county board by the Secretary of State. *[A.C.A. § 7-9-117(a)]*

The title and popular name shall be stated plainly and followed by the words, "FOR ISSUE NO...", "AGAINST ISSUE NO...". *[A.C.A. § 7-9-117(b)]*

Each ballot title shall be separate and apart from each other. *[A.C.A. §§ 7-9-117(c)(1); 14-14-917(d)]*

Each statewide measure shall be designated as an issue and numbered consecutively beginning with "Issue 1". *[A.C.A. § 7-9-117(c)(2)]*

Each issue, if any, shall be placed on the ballot beginning with constitutional amendments proposed by the General Assembly, followed by initiated constitutional amendments, statewide initiated acts, referred acts of the General Assembly, questions referred by the General Assembly, and other measures that may be referred. *[A.C.A. § 7-9-117(c)(2)]*

The ballot titles of measures submitted by municipalities, counties, and other political subdivisions shall be placed on the ballot separate from statewide measures and numbered consecutively for each political subdivision beginning with initiated local measures, followed by referred local measures, and other measures that may be referred. *[A.C.A. §§ 7-9-117(c)(3); 14-14-917(b)(1), (d)]*

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The ballot title for county initiative or referendum shall be stated plainly and followed by the words, “FOR PROPOSED INITIATIVE (OR REFERRED) ORDINANCE (OR AMENDMENT) NO. _____”, “AGAINST PROPOSED INITIATIVE (OR REFERRED) ORDINANCE (OR AMENDMENT) NO. _____”. *[A.C.A. § 14-14-917(d)]*

A question of removal of a person holding an elective office with a four (4) year term in a municipality with a mayor-council form of government must be submitted in substantially the following form: “FOR the removal of (name of officer) from the office of (name of office)[], AGAINST the removal of (name of officer) from the office of (name of office) []”. *[A.C.A. § 14-42-119]*

Marking Areas:

Ballots must contain a place for marking a vote for a candidate beside and on the same line as the name of each candidate. *[A.C.A. § 7-5-208(d)]*

Below each act, amendment, or measure to be voted on, the words “FOR” and “AGAINST” must be situated one above the other with a place for marking a vote for each act, amendment, or measure beside and on the same line of each word. *[A.C.A. § 7-5-208(d)]*

The words “VOTE FOR _____” shall be placed opposite the designation of each office with the number of persons required to fill the office placed in the blank space. *[A.C.A. § 7-5-208(e)]*

Ballot Stubs:

Paper ballots must be printed with a perforated portion capable of being detached for use as the ballot stub. *[A.C.A. § 7-5-601(b)]*

Ballot stubs must be numbered consecutively beginning with the number 1 so that the number on the last ballot printed shall represent the total number of paper ballots provided for the election. *[A.C.A. § 7-5-601(c)]*

Combined Primary and Nonpartisan Judicial General Elections:

The county boards shall furnish separate ballots for each political party containing the names of the candidates seeking the political party’s nomination, the names of all qualified candidates seeking election to nonpartisan judicial offices, and all measures and questions, if any, to be decided by the voters. *[A.C.A. §§ 7-7-306; 7-10-102(b)(2)]*

In addition to a combined ballot for each political party, a separate ballot containing the names of the candidates seeking election to nonpartisan judicial offices and all measures and questions, if any, to be decided by the voters shall be prepared for voters who do not wish to vote in a primary. *[A.C.A. §§ 7-7-306; 7-10-102(b)(2)]*

Quantity of Paper Ballots:

When a county uses a paper ballot voting system whether counted by hand at the polling site, counted by an electronic vote tabulating device at the polling site, or counted at a central location, the county board shall provide a minimum number of ballots for each election precinct equivalent to one and one half (1.5) times the number of electors voting **on paper ballots** at the

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last preceding comparable election, up to a maximum of one hundred five percent (105%) of the total number of registered voters for the respective precinct. *[A.C.A. § 7-5-602(a)]*

The resulting calculation of one hundred five percent (105%) of the total number of countywide registered voters represents the maximum total number of paper ballots to print for the election for the entire county.

STATE BOARD RULES AND GUIDELINES ON COUNTY REIMBURSEMENT

For state-funded elections, the State Board of Election Commissioners has promulgated rules under the Administrative Procedure Act defining election expenses that are eligible for reimbursement and has developed guidelines containing instructions and forms for the counties' use in requesting reimbursement from the State Board.

Among many other items, maximum ballot printing costs for those counties using a voting machine system and maximum allowances for printing special absentee runoff ballots are addressed by rule.

The State Board's Rules for Reimbursement of Expenses for State-Funded Elections and its guidelines for seeking reimbursement from the State Board for a May preferential primary election, for a June primary runoff election, for a statewide special election, and for a special primary election are provided in the Forms section in the back of this manual.

Ballot Errors or Omissions:

If errors or omissions are discovered in the preparation of ballots, the county board shall hold a public meeting and announce the ballot errors or omissions and immediately correct the error or omission or show cause why the correction should not be done. *[A.C.A. § 7-5-209]*

VOTING EQUIPMENT

Voting Machines

Demonstration:

The county board of election commissioners may designate times and places where voting machines may be demonstrated for instructing voters in their use according to Ark. Code Ann. § 7-5-509.

A voting machine cannot be used for instruction once prepared and secured for an election. *[A.C.A. § 7-5-509(c)]*

Preparation:

The county board is responsible for the preparation, programming oversight, testing, and adjustment of voting machines for the election, including preparation and certification of ballot styles. *[A.C.A. §§ 7-5-512(a); 7-5-515(a)]*

Voting machines must be programmed to reject overvotes. *[A.C.A. § 7-5-515(c)(4)]*

Voting machines must be programmed to allow a voter to enter the name of qualified write-in candidates on the ballot. *[A.C.A. § 7-5-525(b)(1)]*

Testing:

At least seven (7) days, before early voting begins, the county board must have each machine to be used at the election tested to determine whether the voting system will correctly count the votes cast. *[A.C.A. § 7-5-515(c)(1)]*

The test shall be open to representatives of the political parties, candidates, media, and the public. *[A.C.A. § 7-5-515(c)(3)]*

The test shall consist of pre-auditing a group of test ballots to predetermine the number of valid votes cast for each candidate and each measure, voting the test ballots on the voting machines, confirming rejection of overvotes, and comparing the results for any discrepancies. *[A.C.A. § 7-5-515(c)(4)]*

The test should include at least one (1) overvoted ballot for each contest to determine if the voting machine will reject the votes. *[A.C.A. § 7-5-515(c)(4)]*

The county board must determine the cause of any errors detected, correct the problem, and produce an errorless count before approving the machine for use in an election. *[A.C.A. § 7-5-515(c)(5)]*

VOTING EQUIPMENT

Once a voting machine has been properly prepared, tested, and examined by candidates or their designated representative, the county board shall:

- Certify the accuracy of the voting system and file the test results with the county clerk;
- Seal, retain, and dispose of the ballots and programs used to test the machines as provided by law;
- Make the voting machine inaccessible to voting;
- Place any activation device in a sealed package on which is written the serial number and precinct location of the voting machine and the number registered on the protective counter or device, and retain them until turned over for delivery to poll workers; and
- Certify the number on the protective counter and that all question counters are set at zero (000) for each machine. *[A.C.A. §§ 7-5-515(e); 7-5-517]*

STATE BOARD'S CERTIFICATION OF LOGIC AND ACCURACY TESTING RESULTS

To assist the county board of election commissioners in meeting its statutory reporting requirement, the State Board of Election Commissioners has developed a certification form for the county board's use in certifying the accuracy of its voting machines and for filing the results with the county clerk as required by law.

The State Board's Certification of Logic and Accuracy Testing Results form is provided in the Forms section in the back of this manual.

Delivery:

The county board shall deliver the voting machines to the poll workers at each polling site *[A.C.A. § 7-5-512(c)]*, and the voting machines shall remain inactivated against voting until the polls are formally opened for voting. *[A.C.A. § 7-5-518(a)]*

Electronic Vote Tabulating Devices

Preparation:

The county board of election commissioners shall have the electronic tabulating devices used for scanning votes properly programmed and tested before delivery to the election precincts. *[A.C.A. § 7-5-611(a)(1)]*

Electronic vote tabulating devices used to count votes at the polling sites must be programmed to reject ballots containing overvotes. *[A.C.A. § 7-5-604(a)(5)(B), (6)(B)]*

VOTING EQUIPMENT

Testing:

At least seven (7) days before early voting begins, the county board shall have the electronic vote tabulating devices tested to determine whether the equipment will correctly count the votes cast.

[A.C.A. § 7-5-611(a)(2)]

The test shall be open to representatives of the political parties, candidates, press, and the public.

[A.C.A. § 7-5-611(a)(4)]

The test shall consist of generating a zero printout tape, preauditing a group of test ballots to predetermine the number of valid votes cast for each candidate and each measure for each precinct, scanning the test ballots on the devices, confirming rejection of overvoted ballots, and comparing the results for any discrepancies. *[A.C.A. § 7-5-611(a)(5)]*

The test shall include at least one (1) overvoted ballot for each contest to test the devices' ability to reject overvotes. *[A.C.A. § 7-5-611(a)(5)(C)]*

Upon completion of testing, the county board must clear the devices of any votes cast during testing, certify the accuracy of the voting system, and file the test results with the county clerk.

[A.C.A. § 7-5-611(a)(7), (8)]

Delivery:

The county board shall have the electronic vote tabulating devices delivered to all election precincts where a device is to be used. *[A.C.A. § 7-5-611(a)(1)]*

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ELECTION MATERIALS

Delivery

Designee:

At least one (1) day before any election, the county board of election commissioners shall designate a person or persons to whom the county board will furnish ballots and supplies for delivery to poll workers at each poll. *[A.C.A. § 7-5-211(a)]*

The designee may not be an elected official, an elected official's deputy, or a candidate for office. *[A.C.A. § 7-5-211(a)]*

The county board is responsible for the security of the delivered election materials. *[A.C.A. § 7-5-211(b)]*

Inspection:

Election materials will vary by county depending upon the type of voting system in use and the type of election being conducted. Election materials should be inspected before opening the polls to ensure that all necessary election materials are available.

Supplies

Supplies may include:

- Voting booths (one for every fifty electors voting in the last preceding comparable election when using a paper ballot voting system); *[A.C.A. § 7-5-309(a)(1)]*
- Ballots; *[A.C.A. § 7-5-602; 7-7-305(a)]*
- Ballot boxes; *[A.C.A. §§ 7-4-107(a); 7-5-211(a)(2)(A)]*
- Stub boxes; *[A.C.A. §§ 7-5-308(a)(3); 7-5-309(b)(3)]*
- Numbered ballot box seals; *[A.C.A. § 7-5-211(a)(2)(A)]*
- Election kits;
- Magnifiers;
- Pencils;
- Pens;
- Permanent ink pens (paper ballots counted by hand); *[A.C.A. § 7-5-602(c)]*
- Manufacturer marking devices (paper ballots with optical scan device); *[A.C.A. § 7-5-211(a)(2)(H)]*
- Pads;
- RTAL paper;
- Thermal printer paper;
- Scissors;
- One hundred foot (100') spool of string (for marking electioneering area);
- Tape (for required postings);
- Abandoned Ballot envelopes;

ELECTION MATERIALS

- Provisional Ballot envelopes; [A.C.A. §§ 7-5-211(a)(2)(G); 7-5-308(a)(5)]
- Provisional Voter envelopes; [A.C.A. §§ 7-5-211(a)(2)(G); 7-5-308(a)(6)]
- Spoiled Ballot envelopes; [A.C.A. § 7-5-602(d)]
- Envelopes for equipment keys;
- Envelopes to seal voted paper ballots; [A.C.A. §§ 7-5-211(a)(2)(E); 7-5-317(a)(4)(A)]
- Envelopes to seal unused paper ballots; [A.C.A. §§ 7-5-211(a)(2)(E); 7-5-317(a)(4)(A)]
- Certificates envelopes; [A.C.A. § 7-5-211(a)(2)(E)]
- Packages for voting machine activation devices; [A.C.A. § 7-5-527(e)(1)]
- Container with numbered seal for enveloped voted/unvoted paper ballots; and [A.C.A. §§ 7-5-317(a)(4)(A); 7-5-614(1)]
- Election material transport supplies (boxes, envelopes, containers).

Forms

The following forms must be made available to the poll workers at each polling site on election day:

- Precinct Voter Registration List; [A.C.A. §§ 7-5-107(a); 7-5-211(a)(2)(C)]
- Voter Registration Application forms; [A.C.A. §§ 7-5-211(a)(2)(G); 7-5-305]
- List of Voters*; [A.C.A. § 7-5-211(a)(2)(B)]
- List of Provisional Voters*; [A.C.A. § 7-5-308(a)(8)]
- List of Persons Assisting Voters*; [A.C.A. § 7-5-310(b)(5)]
- Change in Polling Site Authorization Form*;
- Spoiled Ballot Affidavit*; [A.C.A. §§ 7-5-602(d) ; 7-5-609]
- Voter Complaint Form*; [A.C.A. § 7-5-510]
- Abandoned Ballot Log*; [A.C.A. §§ 7-5-309; 7-5-522]
- Poll Workers' Certificate*; [A.C.A. § 7-5-526]
- Tally sheets (paper ballots counted by hand at the poll); and [A.C.A. §§ 7-5-211(a)(2)(D); 7-5-603(1)]
- Certificates of Election Results (paper ballots counted by hand at the poll, precinct electronic vote tabulating devices). [A.C.A. §§ 7-5-211(a)(2)(F); 7-5-603(4); 7-5-613(2)]

STATE BOARD FORMS

The State Board of Election Commissioners developed various forms to assist the county boards of election commissioners with ensuring that its poll workers complete all reporting required under Arkansas law on election day.

The forms listed above that are marked with an asterisk (*) are provided in the Forms section in the back of this manual.

Required Postings

The following information must be posted in a conspicuous place at each polling site on election day before opening the polls and remain posted continuously until the polls close:

- Public notice of the Election; [A.C.A. § 7-5-202(c)(1)]
- At least two (2) sample ballots marked “SAMPLE” for each ballot style to be used at the poll; [A.C.A. § 7-5-202(c)(2)]
- Clear, written instructions for voting on a voting machine; [A.C.A. § 7-5-512(d)]
- Two (2) copies of the full text of all measures on the ballot; [A.C.A. §§ 7-5-202(c)(3); 7-9-114(b)]
- Zero printout signed by the poll workers from each voting machine and electronic vote tabulating device at the poll; [A.C.A. §§ 7-5-202(c)(8); 7-5-518(c)(1); 7-5-611(b)]
- At least two (2) copies of instructions on how to vote, including instructions for fail-safe and provisional voting; [A.C.A. § 7-5-202(c)(4)]
- General information on federal and state voting rights*; [A.C.A. § 7-5-202(c)(5)]
- General information on the right of an individual to cast a provisional ballot with instructions on how to contact the appropriate officials if these rights are alleged to have been violated*; [A.C.A. § 7-5-202(c)(5)]
- General information on federal and state laws on prohibitions on acts of fraud and misrepresentation*; [A.C.A. § 7-5-202(c)(6)]
- Notice on Electioneering; [A.C.A. §§ 7-1-103 (a)(9); 7-1-104(a)(7)]
- VOTE HERE signs; [A.C.A. § 7-5-202(c)(7)]
- Americans with Disabilities Act (ADA) signs; and [A.C.A. § 7-5-311(d)]
- Poll Watcher Rights and Responsibilities. [A.C.A. § 7-5-312(f)]

STATE BOARD’S POSTINGS

Although not required by law to be posted, the State Board of Election Commissioners strongly urges posting of a Notice on Electioneering at each poll to enforce electioneering laws and maintain order.

A sample Notice on Electioneering that describes actions considered as electioneering, prohibitions on electioneering, and the punishment for violation of electioneering laws was developed by the State Board and is provided in the Forms section in the back of this manual.

Also provided in the Forms section in the back of this manual is a Poll Watcher Authorization Form. The portion of the Form that describes the rights and responsibilities of a person present at the poll for the purpose of serving in the capacity of a legally authorized poll watcher is required by law to be posted at each polling place.

SECRETARY OF STATE'S POSTINGS

Posters providing general information on federal and state voting rights, general information on the right of an individual to cast a provisional ballot, and general information on federal and state laws on prohibitions on acts of fraud and misrepresentation as listed above and marked with an asterisk (*) are legally required to be posted at each poll and are provided to the county boards of election commissioners by the Secretary of State's office according to Ark. Code Ann. § 7-5-202(d).

ELECTION DAY



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POLL WORKER RESOURCES

Poll Workers' Checklist

Purpose:

The State Board of Election Commissioners developed a Poll Workers' Checklist as a tool to assist poll workers in identifying and completing all tasks legally required of them on election day. The checklist is designed to allow poll workers to check off duties as they occur and are completed and provides the poll workers with a format to document any problems encountered at the poll throughout election day and to explain any exceptions.

The checklist was further designed to assist the county boards of election commissioners in gathering pertinent data on ballot accounting from each poll for legally required reporting to the State. [A.C.A. § 7-5-707]

STATE BOARD'S POLL WORKERS' CHECKLIST

The State Board of Election Commissioners strongly urges the county boards of election commissioners to provide one (1) checklist for each polling place to be completed by the poll workers throughout election day and returned to the county board together with the other election materials upon closing the poll.

The Poll Workers' Checklist is provided in the Forms section in the back of this manual.

Poll Workers' Training Guide

Purpose:

A Poll Workers' Training Guide was developed and published by the State Board of Election Commissioners for the dual purpose of use by poll workers when attending training and as a reference guide for poll workers on election day.

The Poll Workers' Training Guide addresses in detail:

- 1) Tasks to be completed before opening the poll, during voting hours, and upon closing the poll;
- 2) Necessary supplies;
- 3) Forms to be completed, along with a description of each form's use, and a sample;
- 4) Legally required postings;
- 5) Processing voters, various voting scenarios that may occur, and the legal procedures for fail-safe voting;
- 6) Poll watchers and their rights and responsibilities;

POLL WORKER RESOURCES

- 7) Assisting voters;
- 8) Spoiled ballots;
- 9) Abandoned ballots;
- 10) Electioneering;
- 11) Exit polls;
- 12) Conflict resolution;
- 13) Closing the poll; and
- 14) Departing the poll.

For quick and easy reference on election day, the Poll Workers' Training Guide contains six (6) single page guides covering some of the more complicated procedures that poll workers may face on election day. The single page guides address voter identification procedures, fail-safe voting procedures, provisional voting procedures, assistance to voters, spoiled ballot procedures, and abandoned ballot procedures.

STATE BOARD'S POLL WORKERS' TRAINING GUIDE

The State Board of Election Commissioners provides each county with the equivalent of six (6) poll workers' training guides per polling site.

The State Board strongly urges the county boards of election commissioners to ensure that at least one (1) poll workers' training guide is available to the poll workers at each polling site on election day to assist them in handling their duties and properly addressing various situations that may occur throughout election day.

Assistance

County Board of Election Commissioners:

All three (3) county election commissioners should be available on election day to assist poll workers with any problems that may be encountered.

POTENTIAL ELECTION DAY PROBLEMS

Timely Opening of Poll

Poll workers must open the polls at precisely 7:30 a.m. and keep the polls open continuously until 7:30 p.m. [A.C.A. § 7-5-304(a)]

Voting Machine Malfunction

If the poll workers at a polling site notify the county board of election commissioners that a voting machine has malfunctioned, the county board must be prepared to immediately deliver to the poll either ballots, ballot boxes, replacement voting machines, if available, or any other necessary equipment or supplies required by law for voting. [A.C.A. § 7-5-513]

STATE BOARD'S VOTER COMPLAINT FORM

The State Board of Election Commissioners developed a Voter Complaint Form for voters to use to file a complaint about the function of a voting machine.

Poll workers are required under Arkansas law to forward all voter complaint forms to their county boards of election commissioners for investigation.

The State Board's Voter Complaint Form is provided in the Forms section in the back of this manual.

Electioneering

Defined:

Electioneering includes distributing literature regarding any candidate or issue on the ballot, soliciting signatures on any petition, soliciting contributions, and attempting to win votes by wearing or displaying campaign buttons, caps, shirts, signs, or other articles of influence. [A.C.A. §§ 7-1-103(a)(9); 7-1-104(a)(7)]

Prohibitions:

Electioneering of any kind whatsoever is prohibited in the building or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the early voting site or the polling site on any election day or any day on which early voting is allowed. [A.C.A. § 7-1-103(a)(9)]

Punishment:

Violation of electioneering laws is, at the minimum, a Class A misdemeanor offense punishable by fine or confinement. [A.C.A. §§ 7-1-103(b); 7-1-104(b)(1)]

STATE BOARD'S ELECTIONEERING NOTICE

The State Board of Election Commissioners' electioneering notice for posting at the primary exterior entrances used by the voters to enter the building containing the polling place and for posting within the building, as deemed necessary, to enforce electioneering laws is provided in the Forms section in the back of this manual.

Ballot Security

Prohibition Against Carrying Ballot Outside:

Carrying any ballot obtained from a poll worker outside of the polling room before the closing of the polls is prohibited by law. [A.C.A. §§ 7-1-103(a)(14); 7-5-309(f)]

Punishment:

Violation is a Class A misdemeanor offense punishable by fine or confinement. [A.C.A. § 7-1-103(b)(1)]

Ballot Secrecy

Privacy:

Each voter must be provided privacy by the poll workers at each polling site or by the county clerk, if the county clerk conducts early voting, to mark his or her ballot. [A.C.A. §§ 6-14-110; 7-5-309(a)(2); 7-5-310(a); 7-5-418(e)]

Equipment Arrangement:

Voting booths, voting machines, and electronic vote tabulating devices must be in plain view of the poll workers, but placed so that no person can see or determine how the voter casts his or her vote. [A.C.A. §§ 7-5-309(a); 7-5-521; 7-5-607]

Any person other than poll workers and those voting shall not be allowed within six feet (6') of the voting booths or the part of the room where voting machines are situated, except by authority of the election judge, unless otherwise provided by law. [A.C.A. §§ 7-5-309(a)(4); 7-5-521(c); 7-5-524(a)]

Voter Assistance:

A voter who informs poll workers at the time that he or she presents himself or herself to vote that he or she is unable to cast the ballot without help shall be directed to a voting machine

POTENTIAL ELECTION DAY PROBLEMS

equipped for use by people with disabilities to vote unassisted, or he or she may request assistance with either a paper ballot or the voting machine, depending on the voting system in use for the election, by either two (2) poll workers, or a person named by the voter. A voter requesting assistance shall be assisted without comment or interpretation. *[A.C.A. § 7-5-310(b)]*

It is illegal for a person who is assisting a voter to misrepresent the content of the ballot, change or mark the ballot except as intended by the voter, or assist in marking and casting a ballot except as provided in Ark. Code Ann. § 7-5-310. *[A.C.A. § 7-1-103(a)(15), (a)(20)(c)]*

Violation is a Class A misdemeanor offense punishable by fine or confinement. *[A.C.A. § 7-1-103(b)]*

No person other than a poll worker, the county clerk during early voting, or a deputy county clerk during early voting shall assist more than six (6) voters in marking and casting a ballot at an election. *[A.C.A. § 7-5-310(b)]*

STATE BOARD'S LIST OF PERSONS ASSISTING VOTERS

The law requires poll workers to make and maintain a list of persons assisting voters during voting hours at the polling site.

The State Board of Election Commissioners developed a form to record the name and address of any person assisting a voter, along with the name of the voter assisted.

The State Board's List of Persons Assisting Voters is provided in the Forms section in the back of this manual.

Handling Voted Ballots:

It is illegal for a person to unfold a ballot or without the consent of the voter to determine or attempt to determine any vote on a ballot before it is placed in the ballot box. *[A.C.A. § 7-1-103(a)(16)]*

Violation is a Class A misdemeanor offense punishable by fine or confinement. *[A.C.A. § 7-1-103(b)]*

Cross-Over Voting

Prohibition:

It is illegal to vote in one (1) political party's preferential primary election held in May and then vote in a different political party's primary runoff election held in June. *[A.C.A. § 7-1-103(a)(19)(B)]*

Punishment:

Violation is a Class A misdemeanor offense punishable by fine or confinement. *[A.C.A. § 7-1-103(b)]*

Prevention:

The county board of election commissioners must ensure that for all preferential primary elections held in May the poll workers mark the Precinct Voter Registration List with a notation such as “D” for Democratic ballot, “R” for Republican ballot, or “NP” for Nonpartisan Judicial ballot. *[A.C.A. § 7-7-308(b)]*

This information will be noted on the Precinct Voter Registration List for any subsequent runoff election and will be used by the poll workers to prevent cross-over voting.

Poll Watchers

Defined:

Poll watchers include any candidate in person (but only during the counting and tabulation of ballots and the processing of absentee ballots), any authorized representative of a candidate, an authorized representative of a group seeking passage or defeat of a measure on the ballot, and an authorized representative of a political party with a candidate on the ballot. *[A.C.A. § 7-5-312(a), (e)]*

Presence:

Each candidate, group, or party may have at any given time one (1) authorized representative present at each location within a polling site where voters identify themselves to election officials to observe and determine the identity of persons presenting themselves to vote for the purpose of challenging voters. *[A.C.A. § 7-5-312(b)(1), (e)]*

Each candidate, group, or party may have at any given time one (1) authorized representative present at each location within the absentee ballot processing site where absentee ballots are processed to observe and determine the identity of absentee voters for the purpose of challenging any absentee vote. *[A.C.A. §§ 7-5-312(b)(2), (e); 7-5-416(a)(4); 7-5-417(a)]*

A candidate in person or an authorized representative of a candidate or political party may be present at a polling site, central counting location, and absentee ballot counting location to witness the counting of ballots by election officials to determine whether ballots are fairly and accurately counted. *[A.C.A. §§ 7-5-312(c), (e); 7-5-316(a); 7-5-413(d); 7-5-416(a)(4); 7-5-527; 7-5-603(5)(B); 7-5-615(a)]*

Documentation:

An authorized representative of any candidate, any group seeking passage or defeat of a ballot measure, and any political party with a candidate on the ballot must present a file-marked copy of an affidavit in the form of a “Poll Watcher Authorization Form” to an election official immediately upon entering the polling site, absentee ballot processing site, or counting location. *[A.C.A. § 7-5-312(d), (e)]*

Candidate Identification:

Candidates in person attending a counting site or absentee ballot processing site are not required to present a “Poll Watcher Authorization Form”, but must present some form of identification to an election official immediately upon entering the site. [A.C.A. § 7-5-312(e)]

Rights and Responsibilities:

A poll watcher may:

- Observe the poll workers;
- Stand close enough to the place where voters check in to vote so as to hear a voter’s name;
- Compile lists of persons voting;
- Challenge ballots upon notification to a poll worker before the voter signs the precinct voter registration list and upon completing the “Challenged Ballot Form” portion of a “Provisional Voter Envelope”;
- Call any perceived election law irregularity or violation to the attention of an election sheriff;
- Discuss the occurrence if the election sheriff invites the discussion;
- Be present at the opening, processing, and canvassing of absentee ballots for the purpose of challenging absentee votes in the manner provided by law for personal voting challenges; and
- Challenge a voter only on the grounds that the voter is not eligible to vote in the precinct or that the voter has previously voted at that election. [A.C.A. § 7-5-312(e)]

Poll watchers representing a candidate or political party may:

- Remain at the polling site after the poll closes if ballots are counted at the poll;
- Be present at the counting of votes by hand or by an electronic vote tabulating device at a central location;
- Be present at the counting of absentee ballots for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted; and
- Upon request made to an election official, inspect any or all ballots at the time the ballots are being counted. [A.C.A. § 7-5-312(e)]

Poll watchers may not:

- Be within six feet (6’) of any voting machine or booth used by a voter to cast his or her ballot;
- Speak to any voter or in any way attempt to influence a voter inside the polling site or within one hundred feet (100’) of the primary exterior entrance used by voters to the building containing the polling site; or
- Disrupt the orderly conduct of the election. [A.C.A. § 7-5-312(e)]

POLL WATCHER AUTHORIZATION FORM

The State Board of Election Commissioners has developed a form that designates and authorizes the presence of a representative of a candidate, a representative of a group seeking the passage or defeat of a measure on the ballot, and a representative of a political party with a candidate on the ballot and outlines poll watcher rights and responsibilities.

The State Board's Poll Watcher Authorization Form was designed in the exact format required by Ark. Code Ann. § 7-5-312 and is provided in the Forms section in the back of this manual.

Provisional Voting

Voter Challenges:

When there is a question concerning a voter's eligibility, a provisional ballot is cast by special procedures and counted only upon verification of the voter's eligibility by the county board of election commissioners. *[A.C.A. § 7-1-101(25)]*

When a voter is required by law to cast a provisional ballot, a poll worker must provide the voter with written instruction on how to determine whether or not his or her provisional ballot was counted, and the reason if not counted. *[A.C.A. § 7-5-308(a)(7), (c)]*

The poll workers must record the names and addresses of the voters casting a provisional ballot at the poll. *[A.C.A. § 7-5-308(a)(8)]*

Prohibition:

It is unlawful for any person to interfere or prevent or attempt to interfere or prevent any qualified elector from voting at any election, except good faith challenges of ballots or voters in the manner provided by law. *[A.C.A. § 7-1-104(a)(6)]*

Punishment:

Violation is a Class D felony offense punishable by fine or confinement. *[A.C.A. § 7-1-104(b)(1)]*

STATE BOARD'S RULES ON PROVISIONAL VOTING AND LIST OF PROVISIONAL VOTERS

The State Board of Election Commissioners has promulgated rules on provisional voting under the Administrative Procedure Act.

The rules address forms of voter identification and failure to provide, voters with questionable eligibility, poll watcher challenges, court-ordered voting extensions, procedures for voting provisionally, preliminary review of provisional ballots, notice to provisional voters, hearings, counting provisional ballots, and certifying official results.

The State Board's Rules on Provisional Voting are provided in the Forms section in the back of this manual. Provided as Attachment "A" to the rules is a sample Provisional Voter Envelope containing a Challenged Ballot Form, the written instructions required to be provided by poll workers to provisional voters, a voter eligibility affirmation, a certification section to be completed by the county clerk, and a disposition section for completion by the county board of election commissioners.

The State Board's List of Provisional Voters for recording the names and addresses of voters casting a provisional ballot at the poll as required under Arkansas law is also provided in the Forms section in the back of this manual.

Spoiled Ballots

Procedure:

If a voter accidentally or mistakenly mars or spoils a paper ballot so that he or she cannot clearly vote the ballot, the voter may return the paper ballot to a poll worker and receive another ballot, not to exceed three (3) ballots in total. *[A.C.A. § 7-5-602(d)(1)]*

A poll worker must cancel the paper ballot by writing "CANCELLED" on the face of the ballot and initialing the ballot. *[A.C.A. § 7-5-602(d)(2)]*

The poll workers must preserve spoiled ballots separately from other ballots for return to the county board of election commissioners. *[A.C.A. § 7-5-602(d)(3)]*

STATE BOARD'S SPOILED BALLOT AFFIDAVIT

The State Board of Election Commissioners developed a form explaining the legal procedure for handling a spoiled ballot and for recording the ballot style number of each spoiled ballot, along with the signature of the voter spoiling the ballot.

The State Board's Spoiled Ballot Affidavit is provided in the Forms section in the back of this manual.

Abandoned Ballots

Not Counted:

Any paper ballot left at a voting booth or anywhere else in the polling site without being inserted into the ballot box by the voter before departing the polling site shall be considered "Abandoned" and the ballot is not counted. [A.C.A. § 7-5-309(g)]

Counted:

Any paper ballot abandoned in the receiving part of an electronic vote tabulating device or any electronic ballot abandoned on a voting machine by a voter who has left the poll without telling a poll worker to cancel or replace the ballot shall be considered "Abandoned" and in both cases, two (2) poll workers shall complete the process of casting the ballot. [A.C.A. §§ 7-5-309(h)(1); 7-5-522(d)]

STATE BOARD'S ABANDONED BALLOT LOG

The State Board of Election Commissioners' Poll Workers' Training Guide provides procedures for handling each type of abandoned ballot described above. Additionally, the State Board has developed a log to be used by poll workers to document all circumstances surrounding an abandoned ballot as required by Ark. Code Ann. §§ 7-5-309 and 7-5-522.

The State Board's Abandoned Ballot Log is provided in our Poll Workers' Training Guide and in the Forms section in the back of this manual.

Disorderly Conduct

Departure:

After voting or declining to vote, the voter must immediately depart from the polling site. [A.C.A. §§ 7-5-309(e); 7-5-522(b)]

Any voter who leaves a voting machine shall not be permitted to return to the machine except to complete the voting process. [A.C.A. § 7-5-522(c)]

Prohibition:

It is illegal for any person to interfere in any manner with the officials lawfully conducting the election or the canvass. [A.C.A. § 7-1-103(a)(20)(G)]

It is illegal for any person to interfere in any manner with the voters lawfully exercising their right to vote at the election. [A.C.A. § 7-1-103(a)(20)(G)]

Assistance:

Poll workers should be instructed to immediately contact their local election authorities regarding emergencies or to report persons disrupting the election process.

STATE BOARD'S POLL WORKERS' TRAINING GUIDE

The State Board of Election Commissioners' Poll Workers' Training Guide provides an introduction page for recording contact information for poll workers to use on election day to reach their county clerk's office, each member of their county board of election commissioners, their county election coordinator, and local law enforcement should any emergency arise at the poll.

The State Board's Poll Workers' Checklist also provides a section for the poll workers to document any events of the day that were out of the ordinary.

Timely Closing of Poll

Persons in Line:

When the polls close at 7:30 p.m., any person who is already in line at the polling site to vote shall be permitted to cast his or her ballot. [A.C.A. §§ 7-5-304; 7-5-524(b)]

Court Ordered Voting Extension:

If the time established for closing the polls is extended as a result of a federal or state court order or any other order, any person who votes during the extension may vote only by casting a provisional ballot. [A.C.A. §7-5-304(c)(1)]

POTENTIAL ELECTION DAY PROBLEMS

These provisional ballots must be separated and held apart from other provisional ballots cast by those not affected by the order. *[A.C.A. § 7-5-304(c)(2)]*

STATE BOARD'S POLL WORKERS' TRAINING GUIDE

The State Board of Election Commissioners' Poll Workers' Training Guide covers in detail the duties and responsibilities of poll workers during voting hours, including paperwork legally required to be completed, processing voters, and legal procedures for handling various voter eligibility issues and voting scenarios.

CLOSING THE POLLS

Open to Public

After the polls have closed, any counting of votes at the polls shall be open to the public and to any poll watchers meeting the requirements of Ark. Code Ann. § 7-5-312. [A.C.A. §§ 7-5-316(a); 7-5-527(b); 7-5-603(5)]

List of Voters Form

Poll workers are legally required to record each voter's name before he or she votes, make and maintain the list during voting hours at the poll, total the number of voters on the list, and certify and attest the list upon closing the poll. [A.C.A. § 7-5-211(a)(2)(B)]

STATE BOARD'S LIST OF VOTERS FORM

The State Board of Election Commissioners developed a form for poll workers to use to record the name of every person who voted a non-provisional ballot at the poll.

The State Board's List of Voters form is provided in the Forms section in the back of this manual.

Voting Machines

Securing at Poll:

At the official time for closing the polls and upon termination of voting, the poll workers shall announce the polls closing and secure the voting machines against further voting by removing the activation packs or devices. [A.C.A. § 7-5-526(a)]

The poll workers must sign a certificate provided by the county board of election commissioners attesting to the exact time that the machines were made inaccessible to further voting and to the number of votes shown on the public counters. [A.C.A. § 7-5-526(b)]

STATE BOARD'S POLL WORKERS' CERTIFICATE

The State Board of Election Commissioners developed a certificate for the county board of election commissioners to provide to its poll workers to certify as required by law that voting machines were made inaccessible to further voting after the polls closed.

The State Board's Poll Workers' Certificate is provided in the Forms section in the back of this manual.

Exposing Vote Count:

The poll workers shall then expose the vote counts, produce and sign at least three (3) return records from each voting machine, and post one (1) copy of each on the wall of the polling room. *[A.C.A. § 7-5-527]*

Delivery of Activation Devices:

The activation pack or device used to collect votes from each voting machine and certified return records must be placed in a sealed package signed by all poll workers at the poll. *[A.C.A. § 7-5-527(e)(1)]*

A poll worker shall immediately deliver the sealed package to the county board and obtain a receipt for the sealed package. *[A.C.A. § 7-5-527(e)]*

Electronic Vote Tabulating Devices

Return of Votes:

When an electronic vote tabulating device is used by the voters at the poll, the poll workers shall count write-in votes and prepare a return of the votes as soon as the polls close. *[A.C.A. § 7-5-613]*

Paper Ballots

Counted by Hand at Poll:

When counting paper ballots by hand at the poll, poll workers must count to completion by opening the ballot box and counting each ballot in turn or by counting by offices and issues. *[A.C.A. § 7-5-603]*

The poll workers shall witness the counting of the ballots and shall keep separate tally lists of the votes for each candidate or issue on the ballot. *[A.C.A. § 7-5-603(1)]*

After the count is completed, the poll workers must make out certificates of election in triplicate and immediately post one (1) copy outside the polling site. *[A.C.A. § 7-5-603(4)]*

Scanned at Central Counting Location:

When paper ballots are to be tabulated using electronic vote tabulating devices at a central counting location, the poll workers shall place all ballots that were cast at the poll in a sealed container and deliver it, along with unused, void, and defective ballots and all other election materials, to the county board of election commissioners. *[A.C.A. § 7-5-614]*

Departing the Poll

Processing and Delivering Election Materials and Returns:

Regardless of the type of election or voting system used, poll workers must process and deliver all ballots, election materials, and returns to the county board of election commissioners immediately after the polls close. *[A.C.A. § 7-5-317]*

The List of Voters forms, precinct voter registration lists, voter registration application forms, and other recordkeeping supplies shall be delivered to the county clerk along with one (1) copy of the certification of election results and one (1) copy of the tally sheets, if any. *[A.C.A. § 7-5-317(a)]*

Sealed stub boxes shall be delivered to the county treasurer for storage. *[A.C.A. § 7-5-317(a)(5)]*

Voted ballots that have been secured in a container with a numbered seal, unused, provisional or cancelled ballots that have been preserved separately, one (1) copy of the certificate of election results, one (1) copy of the tally sheets, if any, reports of challenges of voters, if any, and all other election materials and returns shall be delivered to the county board. *[A.C.A. § 7-5-317]*

Failure to Deliver Returns:

If poll workers fail to deliver returns as required by law immediately after the polls close, the county board must dispatch a peace officer to obtain the election returns. *[A.C.A. 7-5-318(b)]*

STATE BOARD'S POLL WORKERS' TRAINING GUIDE

The State Board of Election Commissioners' Poll Workers' Training Guide covers in detail the duties and responsibilities of poll workers in closing and departing the poll, including legally required paperwork and security procedures.

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**ELECTION NIGHT
&
POST-ELECTION DAY**



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CANVASSING, COUNTING & UNOFFICIAL RESULTS

Open to Public

The counting of votes shall be open to the public. *[A.C.A. §§ 7-5-312(c); 7-5-316(a); 7-5-413(d); 7-5-416(a)(4); 7-5-527; 7-5-603(5)(B); 7-5-615(a)]*

Candidates in person or an authorized representative of a candidate or political party may be present at all counting locations to witness the counting of ballots to determine whether ballots are fairly and accurately counted. *[A.C.A. §§ 7-5-312(c); 7-5-316(a); 7-5-413(d); 7-5-416(a)(4); 7-5-527; 7-5-603(5)(B); 7-5-615(a)]*

Central Counting Location

Proceedings:

All proceedings at a central counting location shall be under the direction of the county board of election commissioners. *[A.C.A. § 7-5-614(2)]*

No person except those employed and authorized for that purpose shall touch any ballot or return. *[A.C.A. § 7-5-615(b)]*

Oath of Election Officials:

Election officials at the central counting location and all persons operating an electronic vote tabulating device must take the election officials' oath of office before beginning their duties. *[A.C.A. § 7-5-615(c)]*

Defective Ballots:

If a paper ballot cannot properly be counted by an electronic vote tabulating device due to damage or defect, the election officials shall make a true duplicate ballot clearly labeled "duplicate" to be counted in the place of the defective ballot. *[A.C.A. § 7-5-615(d)]*

Countywide Total Comparison:

Before certifying the official election results, the county board must compile electronic countywide totals from the activation pack or device used to collect votes from each voting machine and verify that they match manually compiled countywide totals from the polling locations' certified return records. *[A.C.A. § 7-5-529]*

Audit Log:

The county board shall produce an audit log for each voting machine used in the election. *[A.C.A. § 7-5-530(a)]*

Counting Votes

Ballots Provided by County Board:

A paper ballot shall not be counted in any election unless it is provided by the county board of election commissioners. *[A.C.A. §§ 7-5-602(b)]*

Fraudulent Ballots:

When counting paper ballots at the polling site, if two (2) or more paper ballots are folded together, they should be considered fraudulent and should not be counted. *[A.C.A. § 7-5-603(2)(A)]*

Candidate Withdrawal or Death After Certification:

Votes for any candidate on the ballot who withdrew or died after the certification of the ballot shall be counted.

For additional information, refer to the **CANDIDATE WITHDRAWAL** section of this manual beginning on page 22. *[A.C.A. §§ 7-5-315(b)(1); 7-7-304(c)(1)]*

Unopposed Candidates:

Except for unopposed candidates for mayor and circuit clerk, votes for unopposed candidates in any election shall not be counted. *[A.C.A. § 7-5-315(a)]*

The votes for unopposed candidates for mayor and circuit clerk shall be tabulated as in all contested races.

For additional information, refer to **Unopposed Candidates** in the **BALLOTS** section of this manual on page 55. *[A.C.A. §§ 7-5-207(a)(2)(B), (a)(3)(B); 7-5-315(a); 14-42-206(c)(2)]*

Overvoted Ballots:

If a paper ballot contains marks for more than the maximum allowable number of candidates in any one (1) contest or contains marks both “FOR” and “AGAINST” a single issue, the contest should be considered overvoted, and the voter’s intent must be determined. *[A.C.A. § 7-5-603(2)(B)]*

STATE BOARD RULES FOR VOTER INTENT

The State Board of Election Commissioners has promulgated rules under the Administrative Procedures Act for determining whether a paper ballot has been properly marked and whether a vote should be counted for any contest in question.

The State Board of Election Commissioners’ Rules for Voter Intent are provided in the Forms section in the back of this manual.

Write-in Votes:

Write-in votes are not counted in primary elections. *[A.C.A. § 7-5-525(c)]*

Write-in votes cast in the general election for municipal officials in cities of the first class, second class, and incorporated towns are not counted. *[A.C.A. § 14-43-202]*

Votes for write-in candidates in general elections are not counted unless the write-in candidate provides written notice to the county board of each county in which the candidate seeks election and properly files with either the Secretary of State or the county clerk, as the case may be, according to Ark. Code Ann. § 7-5-205 or Ark. Code Ann. § 7-10-103.

For additional information, refer to **Write-in Candidates** in the **CERTIFICATION** section of this manual on page 53. *[A.C.A. §§ 7-5-205; 7-10-103(d)]*

A write-in vote must be cast in the appropriate place on the ballot and be the same name listed on the write-in candidate's political practices pledge or the vote for that candidate must not be counted. However, abbreviations, misspellings, and minor variations in the form of the write-in candidate's name shall be disregarded if the intention of the voter can be determined. *[A.C.A. §§ 7-5-205(4); 7-5-525(b)(2)]*

Amendments and Measures:

The votes on each measure on the ballot shall be counted, tabulated, and returned at the same time and manner as the votes for candidates. *[A.C.A. § 7-9-119(a)]*

If a petition for any amendment or measure is declared insufficient by the Secretary of State or a court of competent jurisdiction, or determined to be invalid for any other reason after having been certified by the Secretary of State to the county board and placed on the ballot, the votes on the amendment or measure shall not be counted or certified. *[A.C.A. § 7-5-204(c)(2)]*

Preliminary and Unofficial Results

Reporting:

Immediately after the count of the vote is complete on election day, the county board of election commissioners shall declare and report preliminary and unofficial results of state and federal elections to the county clerk. *[A.C.A. § 7-5-701(a)(2)(A)]*

The county clerk must immediately transmit the results to the Secretary of State via the internet website provided by the Secretary of State, if possible, or by facsimile transmission, if not. *[A.C.A. §§ 7-5-701(a)(2); 7-5-707(d); 7-9-119]*

The report shall include the number of outstanding absentee ballots of overseas voters and the number of overvotes and undervotes cast in each state and federal race and on any issues. *[A.C.A. §§ 7-5-701(a)(2)(A); 7-5-707(d)]*

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RECOUNTS

Petition for Recount

Request:

Any candidate who is dissatisfied with the returns of the election may submit to the county board of election commissioners a petition requesting a recount of the returns from any precinct. [A.C.A. § 7-5-319(a)(1)]

Deadline:

If the number of outstanding overseas absentee ballots cannot change the results of the election, the candidate must present the petition no later than two (2) days after the county board declares preliminary and unofficial results of the election. [A.C.A. § 7-5-319(a)(2)]

If the number of outstanding overseas absentee ballots could potentially change the results of the election, the candidate must present the recount petition to the county board before the final canvassing and certification of the results of the election. [A.C.A. § 7-5-319(a)(3)]

Procedure

Equipment Test Results:

Upon receipt of the recount petition, the county board of election commissioners shall provide the candidate with a copy of the test results from the voting machines and electronic vote tabulating devices. [A.C.A. § 7-5-319(b)]

Candidate Notification:

The county board must notify all candidates whose election could be affected by the recount within forty-eight (48) hours of receipt of the petition for recount. [A.C.A. § 7-5-319(i)]

Official Voting Machine Ballot:

If votes were cast on a voting machine with a voter-verified paper audit trail (VVPAT), the VVPAT shall serve as the official ballot to be recounted. [A.C.A. § 7-5-319(c)(1)]

If the VVPAT cannot be used for the recount due to damage, the paper record produced by the machine for manual audit shall be the official ballot to be recounted. [A.C.A. § 7-5-319(c)(3)]

The county board may manually sum vote totals on the VVPAT for each candidate involved in the recount or count by hand each vote for each candidate involved in the recount using the VVPAT. [A.C.A. § 7-5-319(c)(2)]

If the voting machine is exempt from the VVPAT requirement, the paper record produced by the machine for manual audit shall be the official ballot to be recounted. [A.C.A. § 7-5-319(c)(4)]

RECOUNTS

Paper Ballots:

Votes cast on paper ballots must be recounted in the same manner as the initial count. *[A.C.A. § 7-5-319(d)]*

If the county board determines that an electronic vote tabulating device may be malfunctioning, the ballots may be recounted in any manner prescribed by law. *[A.C.A. § 7-5-319(d)]*

Limitation

Candidate Petitioned:

Only one (1) recount per candidate per election is permitted. *[A.C.A. § 7-5-319(b)]*

County Board Initiated:

The county board of election commissioners may upon its own motion conduct a recount of the returns from any or all precincts. *[A.C.A. § 7-5-319(b)]*

Certification of Results

The county board of election commissioners shall certify the results of the last recount. *[A.C.A. § 7-5-319(b), (e)]*

Ballot Preservation

After the recount is certified, ballots must again be sealed and kept as provided by law. *[A.C.A. § 7-5-319(f)]*

Cost

Determination:

The county board of election commissioners shall determine the actual costs incurred to conduct a recount and charge the candidate petitioning the recount up to a maximum rate of twenty-five cents (25¢) per vote cast in the precincts where the recount is requested or a total of two thousand five hundred dollars (\$2,500) for the entire county, whichever is less. *[A.C.A. § 7-5-319(h)]*

Payment:

The county board must collect payment for the recount from the candidate petitioning the recount before conducting the recount. *[A.C.A. § 7-5-319(g)(1)]*

Refund of Payment:

If the recount changes the outcome of the election, the cost must be refunded to the candidate. *[A.C.A. § 7-5-319(g)(2)]*

NOMINATION & ELECTION TO OFFICE

Primary Election

Nomination:

If at the preferential primary election held in May, a candidate receives a majority of the votes cast for that office or position, the candidate shall be declared the party nominee and it shall not be necessary for the candidate's name to appear on the ballot at the primary runoff election that may be held in June. *[A.C.A. §§ 7-7-102; 7-7-304(f)(1)]*

Runoff:

If no candidate receives a majority of the votes cast for an office or position at the preferential primary election held in May, the names of the two (2) candidates of the political party who received the highest number of votes for an office or position shall be placed on the ballots at the primary runoff election to be held in June. *[A.C.A. § 7-7-304(f)(2)]*

General Election

United States Congress:

A candidate for United States Senate or United States House of Representative who receives the greatest number of legal votes cast for the office at the general election held in November shall be declared elected. *[A.C.A. § 7-5-703]*

If any two (2) candidates receiving the highest number of votes also receive an equal number of votes, a tie shall exist, and a special runoff election must be held three (3) weeks from the day of the general election with the names of those two (2) candidates placed on a special runoff election ballot to be voted upon by the qualified electors of the congressional district. *[A.C.A. § 7-5-703(c)]*

Constitutional Office:

A candidate for Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General, or Commissioner of State Lands who receives the greatest number of legal votes cast for the office at the general election held in November shall be declared elected. *[A.C.A. §§ 7-5-704; 7-5-705]*

If any two (2) candidates for Commissioner of State Lands receive the highest number of votes and an equal number of votes, a tie shall exist, and a special runoff election must be held three (3) weeks from the day of the general election with the names of those two (2) candidates placed on a special runoff election ballot to be voted upon by the qualified electors of the state. *[A.C.A. § 7-5-704]*

For all other constitutional officers, if two (2) or more candidates receive an equal number of votes and the highest number of votes for the same office, a tie shall exist, and one (1) of them

NOMINATION & ELECTION TO OFFICE

shall be chosen by a joint vote of both houses of the General Assembly by a majority vote. *[A.C.A. § 7-5-705(b); Arkansas Constitution, Article 6, § 3; Amendment 6, § 3]*

Legislative Office:

A candidate for State Senate or State House of Representatives who receives the greatest number of legal votes cast for the office at the general election held in November shall be declared elected. *[A.C.A. § 7-5-704]*

If any two (2) candidates receive the highest number of votes and an equal number of votes, a tie shall exist, and a special runoff election must be held three (3) weeks from the day of the general election with the names of those two (2) candidates placed on a special runoff election ballot to be voted upon by the qualified electors of the districts. *[A.C.A. § 7-5-704]*

County and Municipal Office:

For the purposes of this section, municipal office includes officers of cities of the first class, cities of the second class, and incorporated towns, including aldermen and members of boards of managers, but does not include officers of cities with a city manager form of government or members of the boards of directors. *[A.C.A. § 7-5-106(f)]*

The candidate who receives a majority of the votes cast for the office at the general election held in November shall be declared elected.

If there are more than two (2) candidates for election at the general election and no candidate receives a majority of the votes cast for the office, a general runoff election must be held three (3) weeks after the general election.

The names of the two (2) candidates receiving the highest number of votes shall be placed on a general runoff election ballot to be voted upon by the qualified electors of the county or the municipality, as the case may be. *[A.C.A. §§ 7-5-106(a); 14-42-206(c)(1)(A); 14-43-304(c)(1)]*

If one (1) of the two (2) candidates who received the highest number of votes for an office, but not a majority in the general election, withdraws prior to certification of the general election, the remaining candidate who received the most votes at the general election shall be declared elected to the office and there shall be no general runoff election. *[A.C.A. § 7-5-106(d)]*

If the two (2) candidates receiving the highest number of votes also have the same number of votes, a tie shall exist.

The names of the two (2) candidates shall be placed on the general runoff election ballot to be voted upon by the qualified electors of the county or the municipality, as the case may be. *[A.C.A. § 7-5-106(b)]*

If one (1) candidate receives the highest number of votes, but not a majority of the votes, and two (2) other candidates receive the same number of votes for the next highest number of votes, a tie shall exist between the two (2) candidates.

NOMINATION & ELECTION TO OFFICE

The county board of election commissioners must hold a public meeting and in the presence of the two (2) candidates determine the runoff candidate by lot. *[A.C.A. § 7-5-106(c)]*

The candidate receiving the majority of votes cast for the office at the general runoff election shall be declared elected. *[A.C.A. § 7-5-106(e)(1)]*

If in the runoff election, the two (2) candidates seeking election receive the same number of votes, a tie shall exist.

The county board must hold a public meeting and in the presence of the two (2) candidates determine the winner by lot. *[A.C.A. § 7-5-106(e)(2)]*

Nonpartisan Judicial Office:

A candidate for the office of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, or district judge shall not be elected to a nonpartisan judicial office without receiving a majority of the votes cast for the office at the nonpartisan judicial general election held in May. *[A.C.A. § 7-10-102(c)(1)]*

If no person receives a majority of the votes cast, the two (2) candidates receiving the highest and next highest number of votes shall be certified to a runoff election to be held on the same date at the same times and places as the November general election. *[A.C.A. § 7-10-102(c)(2), (3)]*

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FINAL CERTIFICATION

Provisional Ballots

Before final certification of the election, the county board of election commissioners must review and determine the validity of every provisional ballot. *[A.C.A. §7-5-308(d)(1)]*

Unless directed by a court of competent jurisdiction, a provisional ballot shall be counted if it is cast by a registered voter and is the correct ballot (according to the precinct listed on the voter's eligibility affirmation) for the precinct of the voter's residence. *[A.C.A. §§ 7-1-101(25); 7-5-308(d)(2) 7-5-417(c); 7-5-418(d)]*

Each provisional voter must be notified by first class mail whether his or her vote was counted, and if not, the reason for rejecting the provisional voters' ballot and of the date, time, and place for a hearing before a final determination is made. *[A.C.A. § 7-5-308(c)(2)]*

The county board shall include all provisional ballots found to be valid in the final count and certification. *[A.C.A. §§ 7-1-101(25); 7-5-417(c); 7-5-418(d)]*

STATE BOARD RULES ON PROVISIONAL VOTING

The State Board of Election Commissioners' Rules on Provisional Voting provided in the Forms section in the back of this manual provides details on reviewing provisional ballots, notice to provisional voters, hearings, and counting provisional ballots.

Overseas Absentee Ballots

All overseas absentee ballots that were properly executed by the day of the election and received by the county clerk by 5:00 p.m. ten (10) days after the election shall be counted and included in the final certification of the election regardless of whether the outcome of the election would change. *[A.C.A. § 7-5-411(a)(1)(B)]*

Results

No earlier than forty-eight (48) hours after an election and no later than the tenth day after the primary and nonpartisan judicial general elections held in May and the primary runoff election held in June or no later than the fifteenth day after the general and nonpartisan judicial general runoff elections held in November, the county board of election commissioners shall determine, declare, and certify the result of state and federal elections to the county clerk *[A.C.A. §§ 7-5-701(a)(1); 7-5-707(a), (d); 7-7-203(e)(1); 7-7-309]*

FINAL CERTIFICATION

The county clerk must transmit the certified results for each polling place together with the number of overvotes and undervotes cast in each race and issue in the election to the Secretary of State via the internet website provided by the Secretary of State, if possible, or by facsimile transmission, if not. [A.C.A. §§ 7-5-701(a)(2); 7-5-707(d); 7-9-119]

Abstract of Returns

Members of Congress/Executive, Legislative, and Judicial Officers:

No earlier than forty-eight hours (48) hours and no later than the fifteenth day after the election, the county board of election commissioners shall mail to the Secretary of State certified copies of the abstracts of the returns of the election. [A.C.A. § 7-5-701(c)(1)]

Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General:

No earlier than forty-eight (48) hours and no later than the fifteenth day after the election, the county board shall mail to the Secretary of State a separate envelope addressed to the Speaker of the House of Representatives containing a certified copy of the abstract of votes for the constitutional officers of the state listed above. [A.C.A. § 7-5-701 (d)(1)]

Measures:

The county board shall certify and deliver an abstract of all votes cast on any measure to the Secretary of State no earlier than forty-eight (48) hours and no later than fifteen (15) calendar days after the election. [A.C.A. § 7-9-119(b)]

Failure to Deliver:

If the county board does not comply with certification deadlines, the Secretary of State shall file a complaint with the State Board of Election Commissioners according to Ark. Code Ann. § 7-4-118. [A.C.A. § 7-5-701(c)(3)]

Certificate of Election

Delivery:

The county board of election commissioners shall deliver a certificate of election to the person having the highest numbers of legal votes for any county office within nineteen (19) days after any general, special, or school election. [A.C.A. § 7-5-701(a)(3)]

Filing:

The county board shall file a certificate detailing the result of the election in the office of the county clerk. [A.C.A. § 7-5-701(b)]

BALLOT ACCOUNTING

Written Report

Submission:

When the county board of election commissioners transmits its final certified results through the county clerk's office to the Secretary of State for federal and state elections, Ark. Code Ann. § 7-5-707 requires the county board to submit to the State Board of Election Commissioners a written report accounting for the total number of persons voting and all ballots printed, cast, spoiled, and unused at the election.

Content:

The written report must contain the:

- (1) Total number of persons who voted in the election;
- (2) Total number of early votes cast by voting machine;
- (3) Total number of votes cast by voting machine on election day;
- (4) Total number of absentee ballots, including the:
 - (A) Total number of nonprovisional absentee ballots cast;
 - (B) Total number of provisional absentee ballots cast;
 - (C) Total number of provisional absentee ballots counted;
 - (D) Total number of provisional absentee ballots disqualified;
- (5) Total number of early votes cast by paper ballot, including:
 - (A) Total number of nonprovisional early paper ballots cast;
 - (B) Total number of provisional early ballots cast;
 - (C) Total number of provisional early ballots counted;
 - (D) Total number of provisional early ballots disqualified;
- (6) Total number of paper ballots cast on election day, including the:
 - (A) Total number of nonprovisional paper ballots cast on election day;
 - (B) Total number of provisional ballots cast on election day;
 - (C) Total number of provisional election day ballots counted;
 - (D) Total number of provisional election day ballots disqualified;
- (7) Total number of spoiled ballots;
- (8) Total number of unused ballots;
- (9) Total number of ballots printed; and
- (10) Other information at the request of the Secretary of State as may be required by federal law or regulation.

Filing/Posting:

A copy of the written report must be filed with the county clerk's office and posted in the county clerk's office for twenty (20) days. [A.C.A. § 7-5-707(c)]

**STATE BOARD'S POLL WORKERS' CHECKLIST AND
BALLOT ACCOUNTING REPORTING FORM & INSTRUCTIONS**

To assist the county boards of election commissioners in meeting this statutory reporting requirement, the State Board of Election Commissioners strongly urges the county boards to have the poll workers at each poll complete the two (2) sections of the Poll Workers' Checklist that account for paper ballots at the poll. The first section should be completed or confirmed before the poll opens and the other after the poll closes.

Additionally, the State Board has developed a Ballot Accounting Reporting Form & Instructions for the county boards' use in reporting to the State Board countywide totals on the number of persons voting and ballots printed, cast, spoiled, and unused at the election.

In addition to providing a format for reporting this legally required data, proper use of this form will assist the county boards in confirming the accuracy of its vote counts through verifying, identifying, and reconciling any discrepancies before certifying its final counts.

The Poll Workers' Checklist and Ballot Accounting Reporting Form & Instructions are provided in the Forms section in the back of this manual.

STATEMENT OF COMPLIANCE

Filing

Fifteen (15) days after the primary and nonpartisan judicial general elections held in May, the general and nonpartisan judicial general runoff elections held in November, and any statewide special election, each county board of election commissioners shall file its county's Statement of Compliance with the State Board of Election Commissioners.

Form

The Statement of Compliance shall be submitted in the form of a checklist provided by the State Board showing compliance with all duties and responsibilities of the county board of election commissioners. *[A.C.A. § 7-5-707(e)]*

STATE BOARD'S STATEMENTS OF COMPLIANCE

The State Board of Election Commissioners developed a Statement of Compliance in the form of a checklist as a tool to assist the county boards of election commissioners in monitoring completion of each of its duties and responsibilities during the election process while simultaneously fulfilling its statutory required reporting to the State Board.

Three (3) separate Statements of Compliance are provided in the Forms section in the back of this manual, including a statement for preferential primary and nonpartisan judicial general elections held in May, a statement for November general elections, and a statement for statewide special elections.

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ELECTION CONTESTS

Candidate Contests

Circuit Court:

Within twenty (20) days of the certification complained of, any candidate can contest the certification of nomination or the certification of vote in any election in the circuit court of the county in which the certification of nomination or certification of vote is made or where otherwise provided by law, and the election contest shall be tried by the circuit judge in open court without a jury. *[A.C.A. §§ 7-5-801; 7-5-804(a)]*

State Senator:

Any contest to the eligibility, qualification, or election to serve as a member of the Senate of the General Assembly shall be according to the rules and procedures for election contests established by the Senate under its governing rules. *[A.C.A. § 7-5-805(a)]*

State Representative:

Any contest to the eligibility, qualification, or election to serve as a member of the House of Representatives of the General Assembly shall be initiated by filing a complaint with the Arkansas State Claims Commission within fifteen (15) days after the election returns are certified by the county board of election commissioners in the case of election contests, and at any time after the election in the case of eligibility contests. *[A.C.A. § 7-5-805(b)]*

Governor, Lieutenant Governor, Secretary of State, Treasurer of State, Auditor of State, Attorney General:

All contested general elections shall be decided by the joint vote of both houses of the General Assembly with the President of the Senate presiding. *[A.C.A. § 7-5-806(a)]*

Citizen Contests

If ten (10) reputable citizens of any county allege that illegal or fraudulent votes were cast, that fraudulent returns or certifications were made, or that the Political Practices Act was violated and file a complaint with the circuit judge within twenty (20) days after any election, the circuit judge shall convene a special or regular term for hearing the case. *[A.C.A. § 7-5-807]*

Any twenty-five (25) qualified electors of the state may contest the returns and certification of the votes cast upon any measure by filing a contest in the Circuit Court of Pulaski County within sixty (60) days after the certification of the vote. *[A.C.A. § 7-9-121]*

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PRESERVATION OF ELECTION EQUIPMENT & MATERIALS

Voting Machines

Release:

Voting machines shall be released to a person designated by the county board of election commissioners for storage in a secure facility designated by the county board. *[A.C.A. § 7-5-528]*

Secured:

All voting machines used in any election shall remain secured for at least three (3) days after the election, unless ordered activated sooner by court order. *[A.C.A. § 7-5-531(b)(1)]*

In the event of a recount or an election contest, the county board shall secure and store audit logs and voter-verified paper audit trails (VVPATs) in a secure place in the county courthouse under lock and key awaiting further orders of the county board or court. *[A.C.A. § 7-5-530(b), (c)]*

All audit logs and VVPATs produced by voting machines shall be secured for a period of two (2) years and preserved in the same manner and for the same time period as ballots and certificates are preserved under Ark. Code Ann. § 7-5-702. *[A.C.A. §§ 7-5-531(a); 7-5-532(e)]*

Clearing:

After final certification of the election, the county board shall clear the voting machines for future elections. *[A.C.A. § 7-5-531(b)(2)]*

Voter Lists and Registration Documents

Return/Retention:

All voter lists, precinct voter registration lists, affidavits, and other voter registration documents shall be returned to the county clerk and retained according to Ark. Code Ann. § 15-4-306. *[A.C.A. § 7-5-317(a)(2)]*

Ballots and Certificates

Custody:

After final certification of the election, the county board of election commissioners, shall retain custody of and safely keep in a sealed, appropriately marked container in a secure location in the county courthouse or other county storage facility all ballots and certificates returned to it from the several precincts for a period of twenty (20) days. *[A.C.A. § 7-5-702(a)]*

During the time that ballots are retained or stored, no one shall open the package containing them unless directed to do so by a competent tribunal before which an election contest or prosecution is pending in which the ballots are to be used as evidence. *[A.C.A. § 7-5-702(c)]*

Election Contest:

If the county board is notified in writing within the twenty (20) day period of an election contest or initiation of criminal prosecution for fraud in the election, the county board shall preserve the ballots and certificates as may relate to the contest or prosecution for use as evidence. *[A.C.A. § 7-5-702(b)]*

Retention:

After the twenty (20) day period following final certification, ballots and certificates shall be stored in a secure location in the county courthouse or other county storage facility for a period of two (2) years from the date of the election. *[A.C.A. § 7-5-702(a)]*

Ballot Stubs

Retention:

The county treasurer shall retain custody of and safely keep in a sealed, appropriately marked container all ballot stubs delivered to him or her from the several precincts for a period of twenty (20) days, after which time they shall be stored unless an election contest has been filed or a criminal prosecution initiated in connection with the election. *[A.C.A. § 7-5-702(d)]*

Destruction

Marked and Unmarked Ballots/Ballot Stubs:

After a period of two (2) years, the county board of election commissioners may destroy all marked ballots upon entering an order directing the destruction, upon making and retaining a record of ballots destroyed, and upon filing the order and record with the county clerk. *[A.C.A. § 7-5-702(e)]*

Measures

Document Retention:

All petitions with signatures, notices, certificates, or other documents surrounding a measure on the ballot shall be filed and preserved with the county clerk for two (2) years. *[A.C.A. § 7-9-123]*

ENFORCING ELECTION LAWS

Complaints

Voting Machine Malfunction:

The county board of election commissioners must provide forms at each polling place using a voting machine for voters to use for complaints about the function of a voting machine. The poll workers must forward all filed complaints to the county board for investigation. [A.C.A. § 7-5-510]

STATE BOARD'S VOTER COMPLAINT FORM

The State Board of Election Commissioners developed a Voter Complaint form for voters to use to file a complaint about the function of a voting machine.

The State Board's Voter Complaint Form is provided in the Forms section in the back of this manual.

Written Complaints:

All written complaints concerning any election law violation or irregularity received by the county board must be forwarded to the appropriate county clerk and prosecuting attorney for evaluation. [A.C.A. § 7-1-109]

Voter Identification

Failure to Provide:

After each election, the county board of election commissioners may review the precinct voter registration lists for voters not providing identification at the polls and forward the information to the prosecuting attorney for investigation of possible voter fraud. [A.C.A. § 7-5-305(a)(8)(B)(iii), (iv)]

Provisional Ballots

Referral to Prosecuting Attorney:

When examining provisional ballots before certification of the results of the election, if the county board of election commissioners suspects that a violation of election laws has occurred, the county board may refer the matter to the prosecuting attorney. [A.C.A. § 7-5-308 (e)]

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ELECTION EXPENSES

Voting Equipment

Purchases:

Voting machines, electronic vote tabulating devices, or other equipment purchased by the county to administer elections must be purchased at county expense. *[A.C.A. § 7-5-301(d)]*

Technical Support:

Each county must provide or contract for adequate technical support for the installation, set up and operation of the voting system for each election. *[A.C.A. § 7-5-301(g)]*

Voter Continuing Education:

The Secretary of State is responsible for developing, implementing and providing a continuing program to educate voters and poll workers in the proper use of the voting system. *[A.C.A. § 7-5-301(h)]*

State-Funded Elections

Funding:

The State Board of Election Commissioners funds political party primary elections from funds appropriated to the State Board for election expenses of the State Board and the county boards of election commissioners for preferential primary and nonpartisan judicial elections conducted in May, primary runoff elections conducted in June, special primary elections, and statewide special elections. *[A.C.A. § 7-7-201(a)]*

Procedure:

Before each state-funded election, the State Board will furnish each county board with comprehensive guidelines, instructions, and worksheets for requesting payment from the State Board for eligible state-funded election expenses. This system of funding by the State Board has resulted in uniform and consistent distribution of funds from the State to the counties and provided information used by the State Board for maintenance of databases of comparative election costs, allowing the State to maintain a high level of fiscal accountability. *[A.C.A. § 7-7-201(b)(2)]*

Withholding:

The State Board may withhold funding for otherwise eligible state-funded election expenses from any county that fails to comply with the rules developed by the State Board for the administration of primary elections or for failure to comply with applicable state election laws until all requirements are met to the satisfaction of the State Board. *[A.C.A. § 7-7-201(b)(3)]*

STATE BOARD RULES AND GUIDELINES FOR REIMBURSEMENT

The State Board of Election Commissioners has promulgated rules under the Administrative Procedure Act and developed guidelines establishing eligible state-funded election expenses.

The State Board of Election Commissioners' Rules for Reimbursement of Expenses for State-Funded Elections and its guidelines for seeking reimbursement from the State Board for a May preferential primary election, for a June primary runoff election, for a statewide special election, and for a special primary election are provided in the Forms section in the back of this manual.

General Elections

All expenses of general elections for presidential, congressional, state, district, county, township, or municipal offices in this state shall be paid by the counties in which held, and cities or incorporated towns shall reimburse the county boards of election commissioners for the expenses of the elections according to the formula outlined in Ark. Code Ann. § 7-5-104. *[A.C.A. § 7-5-301(j)]*

Special Elections

Paid by County:

Except for statewide special elections and special party primary elections paid by the State Board of Election Commissioners in accordance with Ark. Code Ann. § 7-7-201, expenses for special elections for congressional, state, district, county, and township offices, including runoff elections as required by law, shall be paid by the counties in which they are held. *[A.C.A. § 7-5-104(b)(1)]*

All expenses of special elections called by any county to refer a question or measure to the voters of the county shall be paid by the county. *[A.C.A. § 7-5-104(b)(3)]*

Paid by City/Incorporated Town:

All expenses of special elections for municipal offices, including any runoff elections as required by law, and for the purpose of referring a question or measure to the voters of the city or incorporated town shall be paid by the city or incorporated town calling for the elections. *[A.C.A. § 7-5-104(b)(2), (4)]*

QUORUM COURT REDISTRICTING

Responsibility

In addition to its duties directly related to conducting elections, the county board of election commissioners is responsible for the apportionment of the county into quorum court districts according to Ark. Code Ann. § 14-14-403 et seq.

Apportionment

Quorum Court districts shall be apportioned on or before the first Monday after January 1, 1982 and each ten (10) years thereafter based on the population of the county as of the last federal decennial census. *[A.C.A. § 14-14-403(a), (b)]*

Numbers

The number of districts apportioned shall be equal to the number to which the county is entitled by law. *[A.C.A. § 14-14-403(b)]*

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**RULES
FOR
COUNTY ELECTION COMMISSIONERS
TRAINING**

(Effective December 1, 2005; Revised September 25, 2009)



**State Board of Election Commissioners
501 Woodlane, Suite 401N
Little Rock, AR 72201
(501) 682-1834 or (800) 411-6996
www.arkansas.gov/sbec**

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Scope of Rules

These rules will set forth the procedures for training members of the county boards of election commissioners in the 75 counties in the State. These rules are in addition to and not a substitute for the laws of the State of Arkansas.

§700 Definitions

- (a) County Board of Election Commissioners – the three-member board in each of the 75 counties in this State consisting of local election officials responsible for conducting all elections within their respective county, including one (1) member selected by the county committee of the majority party (generally the county committee chair), one (1) member selected by the county committee of the minority party (generally the county committee chair), and a third member selected by the county committee of the majority party at the same time as the election of party officers.¹
- (b) Election Official – a person who is a member of the county board of election commissioners or a person who is a poll worker designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff.²
- (c) Primary Election – any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state.³

§701 Qualifications of a Member of the County Board of Election Commissioners

The qualifications⁴ of a member of the county board of election commissioners as determined by the General Assembly⁵ are as follows:

- 1) Must be a qualified elector of this state;
- 2) Must be able to read and write the English language;
- 3) Must be a resident of the county in which he or she serves at the time of his or her appointment or election;
- 4) Must not have been found guilty or pled guilty or nolo contendere to the violation of any election law of this state;
- 5) Must not be a paid employee of any political party;
- 6) Must not be a paid employee of any person running for any office on the county's ballot;
- 7) Must not participate in any campaign for persons listed on the county's ballot, except for making financial contributions;

¹ A.C.A. § 7-4-102(a)

² A.C.A. § 7-1-101(10), as amended by Acts 659, 959, and 1480 of 2009

³ A.C.A. § 7-1-101(24), as amended by Acts 659, 959, and 1480 of 2009

⁴ A.C.A. § 7-4-109

⁵ Art 3, § 10 of the Arkansas Constitution, as amended by Amendment 85

- 8) Must not be employed with a company that has any business dealings, contracts, or pending contracts with the county board of election commissioners at the time of his or her appointment to the county board;
- 9) Must not be a candidate for any office to be filled at an election while serving on the county board, except for appearing on the ballot as a candidate for a position in his or her political party; and
- 10) Must not be married to or related within the second degree of consanguinity to any candidate running for office in the current election if objection to the service is made to the county board of election commissioners within ten (10) calendar days after the posting of the list of election officials.

§702 Required Training

Each member of the county boards of election commissioners shall:

- 1) Attend election training conducted by the State Board of Election Commissioners prior to a regularly scheduled preferential primary election;⁶ and
- 2) Attend additional interim training, if deemed necessary and appropriate by the State Board.

§703 Certification and Compensation

Upon completion of training conducted by the State Board of Election Commissioners:

- 1) Certification, valid for a period of two (2) years, shall be issued by the State Board to each county election commissioner who successfully completes the training program.
- 2) Each county election commissioner attending the training is eligible to receive \$100, plus mileage reimbursement at the rate established for state employees by state travel regulations;⁷ and
- 3) Election commissioner training compensation will be paid by the State Board to the County Treasurer upon receipt from the county of the reporting form approved and provided by the State Board to the county for that purpose.

Attendance by county election coordinators is optional, and compensation for attending training will not be provided by the State Board.

§704 Noncompliance

The State Board may withhold funding for county election commissioner training attendance from any county that fails to comply with the rules and guidelines developed by the State Board

⁶ A.C.A. § 7-4-109(e)(1)

⁷ A.C.A. § 7-4-109(e)(2)

for the administration of election commissioner training, until all requirements are met to the satisfaction of the State Board.⁸

§705 Training Materials

The State Board of Election Commissioners will provide training materials to each county election commissioner attending training.

⁸ A.C.A. § 7-7-201(b)(3)

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**RULES
FOR
ELECTION OFFICIALS (POLL WORKERS)
TRAINING**

(Effective March 17, 2002; Revised September 25, 2009)



**State Board of Election Commissioners
501 Woodlane, Suite 401N
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(501) 682-1834 or (800) 411-6996
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Scope of Rules

These rules will set forth the procedures for coordinating poll worker training in the 75 counties in the state. These rules are in addition to and not a substitute for the laws of the State of Arkansas.

§ 200 Definitions

- (a) Election Official – a person who is a member of the county board of election commissioners or a person who is a poll worker designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff.¹
- (b) Polling Site – a location selected by the county board of election commissioners where votes are cast.²
- (c) Primary Election – any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state.³

§ 201 Qualifications of Election Officials Designated as Poll Workers

The qualifications⁴ determined by the General Assembly⁵ of an election official designated by the county board of election commissioners to serve as a poll worker are as follows:

- 1) Must be a qualified elector of this state;
- 2) Must be able to read and write the English language;
- 3) Must be a resident of the precinct in which he or she serves at the time of his or her appointment, unless the county board determines unanimously that it is impossible to obtain qualified poll workers from the precinct, in which case, the poll worker may be a qualified county resident;
- 4) Must not have been found guilty or pled guilty or nolo contendere to the violation of any election law of this state;
- 5) Must not be a paid employee of any political party;
- 6) Must not be a paid employee of any person running for any office on the county's ballot;
- 7) Must not be a candidate for any office to be filled at an election while serving as a poll worker; and
- 8) Must not be married to or related within the second degree of consanguinity to any candidate running for office in the current election if objection to the service is made to the county

¹ A.C.A. § 7-1-101(10), as amended by Acts 659, 959, and 1480 of 2009

² A.C.A. § 7-1-101(22), as amended by Acts 659, 959, and 1480 of 2009

³ A.C.A. § 7-1-101(24), as amended by Acts 659, 959, and 1480 of 2009

⁴ A.C.A. § 7-4-109

⁵ Art 3, § 10 of the Arkansas Constitution, as amended by Amendment 85

board of election commissioners within ten (10) calendar days after the posting of the list of poll workers.

§ 202 Required Training

Each county board of election commissioners shall:

- 1) Designate two (2) qualified electors of the county to attend training conducted by the State Board of Election Commissioners prior to a regularly scheduled preferential primary election for the purpose of being certified by the State Board as poll worker trainers for the county;
- 2) Designate a minimum of two (2) poll workers per polling site to attend poll worker training conducted locally by State Board-certified trainers and coordinated by the State Board;⁶ and
- 3) Ensure that at least one (1) poll worker at each polling site attended election training coordinated by the State Board.⁷

§ 203 Certification and Compensation of Poll Worker Trainers

Upon successful completion of training conducted by the State Board of Election Commissioners:

- 1) Certification, valid for a period of two (2) years, shall be issued by the State Board to each trainee who successfully completes the training program;
- 2) A maximum of two (2) certified trainers per county are eligible to receive \$100 each, plus mileage reimbursement at the rate established for state employees by state travel regulations;
- 3) The two (2) certified trainers per county are eligible to receive an additional \$50 each per training session up to a maximum of two (2) sessions each for conducting poll worker training locally prior to the preferential primary election; and
- 4) Certified trainers' compensation will be paid by the State Board to the County Treasurer upon receipt of the reporting form approved and provided by the State Board to the county for that purpose.

Certification and compensation of additional county trainers will be considered by the State Board on a case by case basis based upon need and availability of sufficient resources and funding.

§ 204 Compensation for Poll Worker Training Attendance

A poll worker who attends training conducted by a State Board-certified trainer and who works the preferential primary election immediately following the training is eligible to receive a maximum \$25 additional one-time payment.⁸

⁶ A.C.A. § 7-4-109(e)(1)

⁷ A.C.A. § 7-4-107(b)(2)

⁸ A.C.A. § 7-4-109(e)

A county is eligible to receive compensation for poll worker training attendance up to a maximum of six (6) eligible poll workers per precinct per polling site per preferential primary election.

Poll worker compensation will be paid by the State Board to the County Treasurer upon receipt of suitable supporting documentation from the county, as determined by the State Board.

§ 205 Noncompliance

The State Board may withhold funding for poll worker training attendance from any county that fails to comply with the rules and guidelines developed by the State Board for the administration of poll worker training, until all requirements are met to the satisfaction of the State Board.⁹

§ 206 Training Materials

The State Board of Election Commissioners will provide training materials for local poll worker training to each of the seventy-five (75) counties.

Poll worker training shall be conducted only by State Board-certified trainers using materials provided by the State Board. Any exception must be by prior written request to the State Board with prior written approval by the State Board.

⁹ A.C.A. § 7-7-201(b)(3)

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Agency # 108.00

**RULES
FOR
REIMBURSEMENT OF EXPENSES
FOR
STATE-FUNDED ELECTIONS**
(Effective February 6, 2004; Revised September 25, 2009)



**STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
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Scope of Rules

These rules set forth general procedures for distribution of funds from the State to the counties for election expenses related to state-funded elections. These rules are in addition to and not a substitute for the laws of the State of Arkansas.

§ 500 Definitions

- (a) Canvassing - examining and counting the returns of votes cast at a public election to determine authenticity.¹
- (b) County Board of Election Commissioners - the three-member board in each of the 75 counties in this State consisting of local election officials responsible for conducting all elections within their respective county, including one (1) member selected by the county committee of the majority party (generally the county committee chair), one (1) member selected by the county committee of the minority party (generally the county committee chair), and a third member selected by the county committee of the majority party at the same time as the election of party officers.²
- (c) Election Expenses - for the purpose of these rules, costs incurred by a county for conducting a state-funded election, including poll workers pay, part-time help pay, mileage expenses, election commissioners pay, supply costs, programming costs, ballot printing costs, legal advertising costs, and facility fees, as specified in the reimbursement rules and guidelines established by the State Board of Election Commissioners.
- (d) Election Official - a person who is a member of the county board of election commissioners or a person who is a poll worker designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff.³
- (e) Electronic Vote Tabulating Device – device used to electronically scan a marked paper ballot for the purpose of tabulation.⁴
- (f) Nonpartisan Judicial General Election - the regular biennial election held on the same date and at the same time and places as for a preferential primary election for election of Justice of the Supreme Court, Judge of the Court of Appeals, circuit judge, and district judge.
- (g) Off-site Early Voting - additional early voting polling sites outside the office of the county clerk under the direction and supervision of the county board of election commissioners.
- (h) Polling Site - a location selected by the county board of election commissioners where votes are cast.⁵

¹ A.C.A. § 7-1-101(5), as amended by Acts 659, 959, and 1480 of 2009

² A.C.A. § 7-4-102(a)

³ A.C.A. § 7-1-101(10), as amended by Acts 659, 959, and 1480 of 2009

⁴ A.C.A. § 7-1-101(11), as amended by Acts 659, 959, and 1480 of 2009

- (i) Primary Election - any election held by a political party in the manner provided by law for the purpose of selecting nominees of the political party for certification as candidates for election at any general or special election in this state.⁶
- (j) Public meeting - any gathering consistent with the definition established under the Arkansas Freedom of Information Act.
- (k) Special election – any specially scheduled election to fill vacancies or to approve any measure.⁷
- (l) State-funded elections – preferential primary elections, general primary elections, special primary elections, nonpartisan judicial general elections, and statewide special elections.
- (m) Voting machine – a direct recording electronic voting machine that records votes by means of a ballot display provided with mechanical or electro-optical components that may be actuated by the voter, processes the data by means of a computer program, records voting data and ballot images in internal and external memory components, and produces a tabulation of the voting data stored in a removable memory component and in a printed copy.⁸
- (n) Voting system – the total combination of mechanical, electromechanical, or electronic equipment, including the software, firmware, and documentation required to program, control, and support the equipment that is used to define ballots, to cast and count votes, to report or display election results, and to maintain and produce any audit trail information. “Voting system” also includes the practices and documentation used to identify system components and versions of components; test the system during its development and maintenance; maintain records of system errors and defects; determine specific system changes to be made to a system after the initial qualification of the system; and make available any materials to the voter, including without limitation notices, instructions, forms, or paper ballots.⁹

§ 501 State Funding of Elections

The State Board of Election Commissioners, hereinafter referred to as the “State Board,” is statutorily charged with funding political party primary elections from funds appropriated to the State Board for election expenses of the State Board and the county boards of election commissioners, hereinafter referred to as the “county boards,” for conducting preferential primary elections, general primary elections, special primary elections, nonpartisan judicial general elections, and statewide special elections.¹⁰

⁵ A.C.A. § 7-1-101(22), as amended by Acts 659, 959, and 1480 of 2009

⁶ A.C.A. § 7-1-101(24), as amended by Acts 659, 959, and 1480 of 2009

⁷ A.C.A. § 7-1-101(14), as amended by Acts 659, 959, and 1480 of 2009

⁸ A.C.A. § 7-1-101(33), as amended by Acts 659, 959, and 1480 of 2009

⁹ A.C.A. § 7-1-101(34), as amended by Acts 659, 959, and 1480 of 2009

¹⁰ A.C.A. §§ 7-4-101(f)(11); 7-7-201(a)

§ 502 Withholding of State Funding

The State Board may withhold funding for eligible state-funded election expenses from any county that fails to comply with the rules developed by the State Board for the administration of primary elections or fails to comply with applicable state election laws, until all requirements are met to the satisfaction of the State Board.¹¹

Failure to comply with the rules and guidelines for reimbursement of expenses for state-funded elections established by the State Board, failure to file a “Statement of Compliance” with the State Board, or failure to deliver certified results of the election to the Secretary of State will result in withholding of funding for eligible state-funded election expenses to the county, until all requirements are met to the satisfaction of the State Board.¹²

§ 503 Advance Funding

Following each regular legislative session, the State Board will establish an estimated average cost per registered voter by county for conducting statewide special elections and for conducting preferential primary elections based upon databases of comparative state-funded election costs maintained by the State Board.

A county who satisfies the requirements of § 502 and § 503 is eligible to receive funding from the State Board before any statewide special election or preferential primary election upon proper request made to the State Board by the county board.

The request must be in writing under the signature of all three (3) commissioners and received by the State Board at least thirty (30) days prior to the statewide special election or preferential primary election.

Upon review and approval by staff, the county treasurer will receive funding from the State Board based upon one half (1/2) of the county’s previously estimated cost per registered voter for conducting the election, or a minimum of two thousand five hundred dollars (\$2,500) for a statewide special election or five thousand dollars (\$5,000) for a preferential primary election, whichever is greater.

The respective county will disburse the funds allocated for election expenses and will establish a separate expense code to track and monitor payments made with State funds.

§ 504 Funding of Eligible Expenses

Before each state-funded election, the State Board will furnish each county board with comprehensive guidelines, instructions and worksheets for requesting payment from the State Board for eligible state-funded election expenses.

¹¹ A.C.A. § 7-7-201(b)(3)

¹² A.C.A. §§ 7-5-701(c)(1)(B); 7-5-707(e), as amended by Act 959 of 2009

After each state-funded election, a county board must submit to the State Board actual invoices, receipts, and all other required documentation in support of eligible election expenses incurred in conducting the state-funded election.

A county who satisfies the requirements of § 502 and § 504 is eligible to receive funding from the State Board after the state-funded election upon proper request made to the State Board by the county board.

A county must carefully follow all instructions and submit its request according to the State Board's rules and guidelines to maximize receipt of funding for eligible state-funded election expenses from the State Board.

Upon review by staff and approval by the State Board, each county treasurer will receive funding from the State Board for eligible state-funded election expenses as defined by rule. The respective county will disburse the funds allocated for election expenses and will establish a separate expense code to track and monitor payments made with State funds.

§ 505 Uniform and Consistent Funding

This system of funding by the State Board has resulted in uniform and consistent distribution of funds from the State to the counties and provided information needed for the development of databases of comparative election costs, thus allowing the State to maintain a high level of fiscal accountability.¹³

§ 506 Eligible State-Funded Election Expenses

A county who satisfies the requirements of § 502 and § 504 is eligible to receive funding from the State Board for eligible expenses incurred up to maximum amounts as detailed below.

A. Poll Workers Pay

Eligible Poll Workers Pay includes funding for poll workers working polling sites on a state-funded election day, funding for poll workers working off-site early voting polling sites, and funding for poll workers who attend training as specified under separate rule.

A county is eligible to receive a maximum \$100 per poll worker who works at a polling site from opening until closing on election day of a state-funded election.¹⁴

A county is eligible to receive a maximum \$50 per poll worker who works a split shift (half day) at a polling site on election day of a state-funded election.

¹³ A.C.A. § 7-4-101(f)(5)

¹⁴ A.C.A. § 7-4-112(a)

A county is eligible to receive the current federal or state minimum wage, whichever is greater at the time of the state-funded election, for the actual number of hours worked by a poll worker who works at an off-site early voting polling site outside of the county clerks' office under the direction and supervision of the county board.¹⁵

A county is eligible to receive a maximum \$25 additional one-time payment per poll worker who attends training conducted by a State Board-certified trainer and who works the preferential primary election immediately following the training (see the State Board's "Rules for Election Officials (Poll Workers) Training").¹⁶

A county is eligible to receive funding for a maximum of six (6) eligible poll workers per precinct per polling site per state-funded election. For those counties that combine multiple polling sites within a single facility such as an auditorium, each separate location within the single facility where voters identify themselves to poll workers for the purpose of casting a ballot would constitute a polling site.

B. Part-Time Help Pay

Eligible Part-Time Help Pay includes funding for one (1) extra deputy to the county clerk for the purpose of carrying out the requirements of absentee and early voting, funding for personnel designated by the county board to deliver election materials to poll workers for each polling site, funding for poll workers designated to return election materials to the county board after the closing of the poll, funding for election clerks processing absentee ballots on election day, and funding for election officials designated to tabulate the vote.

A county is eligible to receive funding for eligible part-time help at the current federal or state minimum wage, whichever is greater at the time of the state-funded election, for the actual number of hours worked.

A county is eligible to receive funding for an extra deputy to the county clerk at the current federal or state minimum wage, whichever is greater at the time of the state-funded election, for the actual number of hours worked per day up to the maximum number of hours per day allowable by law, for a period not to exceed thirty-five (35) days per state-funded election.¹⁷

C. Mileage Expenses

Eligible Mileage Expenses include funding for the mileage of personnel designated by the county board to deliver election materials to poll workers for each polling site and funding for poll workers designated by the county board to return election materials to the county board after the closing of the poll at the same mileage rate prescribed for state employees in state travel regulations.¹⁸

¹⁵ A.C.A. § 7-4-112(a)

¹⁶ A.C.A. § 7-4-109(e)

¹⁷ A.C.A. § 7-5-415

¹⁸ A.C.A. § 7-4-112(b)

D. Election Commissioners Pay

A county is eligible to receive funding for election commissioners pay at \$100 per public meeting attended when official business is conducted, up to a maximum of ten (10) public meetings per commissioner per state-funded election.¹⁹

Public meetings as defined under the Arkansas Freedom of Information Act include drawing of ballot position, certification of ballots, selection or alteration of location or boundaries of precincts or polling sites, designation of poll workers, correction of errors or omissions of ballots, canvassing and certification of election results, canvassing and certification of a recount, and election day.

E. Supply Costs

Eligible Supply Costs include funding for disposable supplies such as pens, pencils, pads, tape, magnifying sheets/glasses, spools of string for marking electioneering areas, ballot marking instruments/devices, envelopes, ballot boxes, seals, stub boxes, election kits, paper, postage for mailing absentee application requests and ballots and for official notice to poll workers and polling sites, RTAL paper for voting machines, and thermal printer paper for communication packs and scanners.

A county should only claim quantities applicable to the specific state-funded election for which seeking funding.

F. Programming Costs

Eligible Programming Costs include funding for programming and testing of voting machines and electronic vote tabulating devices for state-funded elections and funding for labor, mileage, and truck rental, if necessary, for transportation of voting machines and precinct tabulating devices to and from polling sites.²⁰

A county is eligible to receive a maximum \$25 per hour for testing voting machines and electronic vote tabulating devices.

A county is eligible to receive a maximum \$1,080 per state-funded election for contracted technical support.²¹

A county is eligible to receive the current federal or state minimum wage, whichever is greater at the time of the state-funded election, for the actual number of hours worked by personnel designated by the county board to transport voting machines and electronic vote tabulating devices to and from the polling sites, plus truck rental fees or mileage expenses at the same mileage rate prescribed for state employees in state travel regulations.

¹⁹ A.C.A. § 7-4-111(b)

²⁰ A.C.A. §§ 7-5-301(m)(2); 7-5-515(a), (b); 7-5-611(a)(1)

²¹ A.C.A. § 7-5-301(g)

G. Ballot Printing Costs

Eligible Ballot Printing Costs include funding for the cost of ballot stock and printing of ballots up to the maximum allowed by law and State Board rule.

A county using paper ballots counted by hand or by electronic vote tabulating devices (whether centrally located or at each polling site) in combination with one (1) voting machine per poll accessible to voters with disabilities is eligible to receive funding for printing a number of ballots equivalent to one and one half (1.5) times the number of electors voting on paper ballots at the last preceding comparable election, up to a maximum of one hundred five percent (105%) of the total number of registered voters.²²

A county using all voting machines is eligible to receive funding for printing a number of ballots equivalent to one and one half (1.5) times the number of electors voting on paper ballots at the last preceding comparable election, up to a maximum of one half of the total number of electors voting at the last preceding comparable election.

Regardless of the type of voting system in use, a county is eligible to receive funding for printing a number of separate judicial/special election ballots for the nonpartisan judicial general election and any special election that is held on the same dates, times, and places as the preferential primary election equivalent to one and one half (1.5) times the number of electors voting a separate judicial/special election paper ballot at the last preceding comparable election.²³

No voter is required to vote in a political party's primary to be able to vote in a nonpartisan judicial or special election.²⁴

For each preferential primary election, a county board must provide a special absentee ballot marked "special runoff ballot" to be sent by the county clerk along with the absentee ballot for the preferential primary election to members of the uniformed services of the United States and members of the Merchant Marine while in active duty or service, and their spouses and dependents who, by reason of the active duty or service of the member, are absent from the place of residence where the spouse or dependent is otherwise qualified to vote and to citizens of the United States residing or temporarily outside the territorial limits of the United States and the District of Columbia.²⁵

A county is eligible to receive funding for printing a number of "special runoff ballots" equivalent to a maximum of one and one half (1.5) times the total number of overseas absentee ballot requests received at the last preceding comparable election or one and one half (1.5) times the total number of overseas absentee voters voting at the last preceding comparable election, whichever is greater.

²² A.C.A. § 7-5-602(a)(1), as amended by Act 1480 of 2009

²³ A.C.A. §§ 7-10-102(b)(2); 7-11-105(d)(3), as amended by Act 1480 of 2009; 7-11-106(b), as amended by Act 1480 of 2009; 7-11-205(a)(3), as amended by Act 1480 of 2009

²⁴ A.C.A. §§ 7-11-105(d)(4)(A), as amended by Act 1480 of 2009; 7-11-205(a)(4), as amended by Act 1480 of 2009

²⁵ A.C.A. § 7-5-406(a),(c), as amended by Acts 250, 659, and 703 of 2009

H. Legal Advertising Costs

Eligible Legal Advertising Costs include funding for two (2) publications of the public notice of the date of the election, the hours of voting on election day, the places and times for early voting, polling sites for holding the elections, the candidates and offices to be elected, and the time and location of the opening, processing, canvassing, and counting of ballots, funding for one (1) publication of the notice of the time and place the voting machines will be prepared, and funding for one (1) publication of the time and place of testing of voting machines and electronic vote tabulating devices.²⁶

A county must provide a copy of the proof of publication to be eligible to receive payment for eligible advertising costs.

I. Facility Fees

Eligible Facility Fees include fees charged to a county by a facility to offset the cost of using the facility as an election day or off-site early voting polling site for a state-funded election.

A county is eligible to receive a maximum of \$40 per each facility that requests payment from the county for its use as an election day polling site.

A county is eligible to receive \$40 per day per each facility that requests payment from the county for its use as an off-site early voting polling site, up to a maximum of \$4,000 per county per state-funded election.

A county must provide the State Board with a copy of each facility's invoice to be eligible to receive funding from the State Board.

§ 507 Ineligible State-Funded Election Expenses

A. Poll Workers Pay

The State Board will not provide funding for a volunteer election page,²⁷ a county election commissioner, a county election coordinator, or a secretary or assistant to a county board for serving as a poll worker on election day.

B. Part-Time Help Pay

The State Board will not provide funding for a full-time or part-time election coordinator or for a full-time or part-time secretary or assistant to a county board.

²⁶ A.C.A. §§ 7-5-202(a), (b); 7-5-416(a), as amended by Act 959 of 2009; 7-5-515(c)(2); 7-5-611(a)(3); 7-11-103(b), as amended by Act 1480 of 2009; 7-11-104(b), as amended by Act 1480 of 2009

²⁷ A.C.A. § 7-4-116(c)(3)

RULES FOR REIMBURSEMENT OF EXPENSES FOR STATE-FUNDED ELECTIONS

The State Board will not provide funding for additional deputies to the county clerk for absentee and early voting beyond the one (1) eligible extra deputy,²⁸ for a county election coordinator, for a secretary or assistant to a county board, or for personnel on the county payroll for serving as part-time help.

C. Mileage Expenses

The State Board will not provide funding for mileage expenses incurred by a county election commissioner for travel to and from public meetings or for a poll worker's travel to and from the polling site, except as provided by law for delivery of election materials and voting equipment.

D. Election Commissioners Pay

The State Board will not compensate a county election commissioner for election-related duties, except as provided by law for public meetings.

E. Supply Costs

The State Board will not provide funding for capital or leasehold improvements to polling sites.

The State Board will not provide funding for non-expendable equipment and supplies such as voting booths, electric pencil sharpeners, thermal binding machines, pagers, outlet strips, extension cords, adapters, phone cords, and expensive metal signage.

The State Board will not provide funding for expendable supplies such as copier toner, printer toner cartridges, printer ribbons, diskettes, hanging file folders, manila file folders, binders, and flags.

The State Board will not provide funding for the cost of binding voter books, for reproduction of poll worker training material, for phone lines, phone services or internet services, for portable toilet rental, for furniture rentals, for return postage, or for food.

F. Programming Costs

The State Board will not provide funding for the purchase of new or used voting systems or for leasing, rental, maintenance, or depreciation of voting systems.

G. Ballot Printing Costs

The State Board will not provide funding for ballot printing reruns due to county or vendor error.

²⁸ A.C.A. § 7-5-415

The State Board will not provide funding for overages in ordering and printing ballots, except by prior written request to the State Board with prior written approval by the State Board.

The county and/or the vendor will be financially responsible for excessive printing of paper ballots.

H. Legal Advertising Costs

The State Board will not provide funding for advertising the list of appointed election officials,²⁹ for advertising for the purpose of notifying candidates of preparation of machines, advertising for poll worker training, advertising in excess of that required by law as defined previously, re-advertising due to county error, or for any costs related to radio or television broadcasting or colored advertising.

I. Facility Fees

The State Board will not provide funding for reimbursing individuals hired to clean facilities used as polling sites.

J. Other

The State Board will not provide funding for any penalties assessed to a county by any vendor, such as a surcharge assessed to a county by a vendor for missing deadlines established by the vendor.

The State Board will not consider requests for advance funding for state-funded general primary (run-off) elections or special primary elections.

The State Board will review all shipping and handling fees in excess of \$500 for consideration of payment on a case-by-case basis.

County funds must be used for funding any election-related expenses incurred by the county in conducting a state-funded election that fall outside the scope of funding by the State Board as defined by rule.

A county may appeal to the State Board for reconsideration of any otherwise eligible expense that is disqualified by the State Board for exceeding maximums established by State Board rules and guidelines.

If a court orders a new election as a result of a contested election, the State Board will consider the criteria for funding the expenses of the new court-ordered election, on a case-by-case basis.

²⁹ A.C.A. §§ 7-5-202(b)(2); 7-5-516(a)

RULES FOR VOTER INTENT

(Effective April 14, 2002; Revised September 25, 2009)



**State Board of Election Commissioners
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Scope of Rules

These rules and regulations set forth the procedures for determining voter intent. These rules are subject to revisions due to the use of new types of equipment and/or ballot formats, or changes in laws and are in addition to and not a substitute for the laws of the State of Arkansas.

§ 300 Definitions

- (a) Candidate area – the area(s) on or between the lines separating candidate names.
- (b) Electronic vote tabulating device – a device, commonly referenced as an optical scanner, used to electronically scan a marked paper ballot for the purpose of tabulation.¹
- (c) Issue area – the area(s) on or between the lines separating issues.
- (d) Marking device – any approved device for marking a paper ballot with ink or other substances that will enable votes to be tabulated by means of an electronic vote tabulating device.² Paper ballots counted by hand shall be marked using permanent ink.³ If an electronic vote tabulating device (optical scanner) is used to count paper ballots, the marking instrument recommended by the manufacturer of the optical scanner for proper marking shall be used.⁴
- (e) Over-vote – A ballot containing marks for more than the maximum allowable number of candidates in any one (1) contest⁵ or containing marks both “FOR” and “AGAINST” a single issue.
- (f) Paper ballot – a paper vote sheet that is either counted by hand or by use of an electronic vote tabulating device. The heading of each paper ballot must read: “OFFICIAL BALLOT (description) ELECTION (date), (year). Vote by placing an appropriate mark opposite the person for whom you wish to vote”.⁶ If the paper ballot contains an initiated or referred amendment, act, or measure, the heading must also include the language: “Vote on amendments, acts, and measures by placing an appropriate mark below the amendment (or act or measure) either “FOR” or “AGAINST”.⁷ Every paper ballot must contain printed instructions under the heading that inform the voter of the effect of casting multiple votes for an office and how to correct the ballot before it is cast and counted.⁸ The paper ballot must contain a place for marking a vote for a candidate adjacent to and on the same line as the name of each candidate. Below each act, amendment, or measure to be voted on, the words “FOR” and “AGAINST” shall be situated one above the other with a place for

¹ A.C.A. § 7-1-101(11), as amended by Acts 659, 959, and 1480 of 2009

² A.C.A. § 7-1-101(16), as amended by Acts 659, 959, and 1480 of 2009

³ A.C.A. § 7-5-602(c), as amended by Act 1480 of 2009

⁴ A.C.A. § 7-5-211(a)(2)(H)

⁵ A.C.A. § 7-5-603(2)(B), as amended by Act 1480 of 2009

⁶ A.C.A. § 7-5-208(b)(1), as amended by Act 1480 of 2009

⁷ A.C.A. § 7-5-601(d)(2), as amended by Act 1480 of 2009

⁸ A.C.A. § 7-5-601(e), as amended by Act 1480 of 2009

marking a vote for each act, amendment, or measure adjacent to and on the same line of each word.⁹

- (g) Properly marked – A paper ballot appropriately marked in the appropriate places for marking a vote that contains no marks for more than the maximum allowable number of candidates in any one (1) contest or marks both “FOR” and “AGAINST” any single issue.
- (h) Target area – the place on the paper ballot for marking a vote adjacent to and on the same line as the candidate’s name or issue to be voted on.
- (i) Under-vote – no vote is recorded for a contest.
- (j) Voting machine – a direct recording electronic voting machine that records votes by means of a ballot display provided with mechanical or electro-optical components that may be actuated by the voter, processes data by means of a computer program, records voting data and ballot images in internal and external memory components, and produces a tabulation of the voting data stored in a removable memory component and in a printed copy.¹⁰

⁹ A.C.A. § 7-5-208(d), as amended by Act 1480 of 2009

¹⁰ A.C.A. § 7-1-101(33), as amended by Acts 659, 959, and 1480 of 2009

§ 301 Paper Ballots

The following standards shall apply in determining whether a paper ballot has been properly marked and whether a vote should be counted for any contest in question:

- when paper ballots are not scanned in the presence of the voter due to malfunction of a precinct electronic vote tabulating device and the prescribed counting machine will not accept an individual paper ballot during tabulating,
- when using an electronic vote tabulating device at a central counting location and the prescribed counting machine will not accept an individual paper ballot, or
- when counting paper ballots manually by hand.

The following instructions assume a single-seat office, that is, the voter is only permitted to vote for one (1) candidate per contest.

1. Any paper ballot that is properly marked, as specified by the ballot instructions, in the target area for one (1) candidate or issue per contest shall be counted as a vote for that candidate or issue.

Vote to be counted:

For Attorney General (Vote for one)	
<input type="radio"/>	Lucille Ball
<input checked="" type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz

2. Any paper ballot that is properly marked with any device other than the approved marking device which prevents a machine count shall be counted as a vote.

RULES FOR VOTER INTENT

3. Any paper ballot with identical marks for more than one (1) candidate or issue per contest, without additional clarifying marks, shall be deemed an over-vote, and no vote shall be counted.¹¹

Votes NOT counted:

For Attorney General (Vote for one)	
<input checked="" type="radio"/>	Lucille Ball
<input checked="" type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz

For Attorney General (Vote for one)	
<input type="radio"/>	Lucille Ball
<input checked="" type="radio"/>	Jack Benny
<input checked="" type="radio"/>	Desi Arnaz

Proposed Constitutional Amendment No. 1 (Referred to the People by the General Assembly) (Popular Name)	
An amendment to limit the increase in the assessed value of a taxpayer's real property after a countywide reappraisal and to require a property tax credit.	
<input checked="" type="radio"/> FOR	Proposed Referred Constitutional Amendment No. 1
<input checked="" type="radio"/> AGAINST	Proposed Referred Constitutional Amendment No. 1

4. Any paper ballot with marks for more than one (1) candidate per contest, where the names for all but one (1) candidate are stricken, shall be counted for the one (1) candidate whose name was not stricken.

Vote to be counted (for candidate not stricken):

For Attorney General (Vote for one)	
<input type="radio"/>	Lucille Ball
<input type="radio"/>	Jack Benny
<input type="radio"/>	Desi Arnaz
<input type="radio"/>	Lenny Bruce

Vote counted for Lucille Ball

¹¹ A.C.A. § 7-5-603(2)(B), as amended by Act 1480 of 2009

RULES FOR VOTER INTENT

5. Any paper ballot with identical marks for more than one (1) candidate per contest, clarified by an additional mark or marks that indicate support for a single candidate shall be counted as a vote for the candidate with the additional clarifying marks.

Votes to be counted (for candidate with additional clarifying mark):

For Attorney General
(Vote for one)

☒ Lucille Ball

☒ Jack Benny

☒ Desi Arnaz

☒ Lenny Bruce

Vote counted for Jack Benny

For Attorney General
(Vote for one)

↓

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

Vote counted for Lucille Ball

6. Any paper ballot that has any mark in the target area or candidate or issue area for only one (1) candidate or issue, including circling the target area and/or the candidate's name or issue or making a mark through the target area or candidate's name or issue, provided no other candidate for that office or issue is similarly marked, shall be counted as a vote for that candidate or issue, unless the mark is clearly a negative comment.

a. Votes to be counted:

For Attorney General
(Vote for one)

☐ Lucille Ball

☐ Jack Benny

☒ Desi Arnaz

☐ Lenny Bruce

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

b. Vote NOT counted:

For Attorney General
(Vote for one)

☐ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

RULES FOR VOTER INTENT

- Any paper ballot that has a mark in the target area or candidate or issue area for one (1) candidate or issue, which partially extends into one (1) or more other target areas or candidate or issue areas shall be counted as a vote for the candidate or issue so marked only if it is readily apparent that most of the mark is in that candidate or issue area or target area.

Votes to be counted:

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

For Attorney General
(Vote for one)

☐ Lucille Ball

☐ Jack Benny

☒ Desi Arnaz

☐ Lenny Bruce

- Any paper ballot that has a mark in the target area or candidate or issue areas for one (1) candidate or issue and on which other marks in the target area or candidate or issue areas for any other candidates or issues have been partially erased, scratched out, or otherwise removed, shall be counted as a vote for the candidate or issue for which the mark was not erased, scratched out, or otherwise removed.

Votes to be counted:

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

- Any paper ballot in which writings or remarks appear to be ranking the candidates (letters, numbers) shall be counted as a vote for the top ranked candidate.

Vote to be counted for Jack Benny in all cases:

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

10. Any paper ballot with positive or negative writings or remarks regarding one (1) or more candidates or issues, shall not be counted as a vote for that contest, unless clarified by an additional mark or marks that indicate support for a single candidate.

Votes NOT counted:

For Attorney General
(Vote for one)

☐ Lucille Ball **GO GIRL**

☐ Jack Benny

☐ Desi Arnaz

☐ Lenny Bruce

For Attorney General
(Vote for one)

☐ Lucille Ball

☐ Jack Benny **NEVER**

☐ Desi Arnaz

☐ Lenny Bruce

Votes to be counted:

For Attorney General
(Vote for one)

☒ Lucille Ball

☐ Jack Benny **NEVER**

☐ Desi Arnaz **MY GUY**

☐ Lenny Bruce

Vote counted for Lucille Ball

For Attorney General
(Vote for one)

☐ Lucille Ball **GO GIRL**

☐ Jack Benny

☒ Desi Arnaz **MY GUY**

☐ Lenny Bruce

Vote counted for Desi Arnaz

11. Any paper ballot on which the voter casts a vote on the ballot and writes in a different, qualified candidate in the write-in area shall be considered an over-vote for that contest and neither vote shall be counted.

Vote NOT counted:

For Attorney General	
(Vote for one)	
<input type="radio"/>	Lucille Ball
<input type="radio"/>	Jack Benny
<input checked="" type="radio"/>	Desi Arnaz
<input checked="" type="radio"/>	<u>Lenny Bruce</u>

12. A write-in vote is not counted unless the name of the write-in candidates shall have been hand-written on the paper ballot.¹²
13. Any abbreviation, misspelling, or other minor variation in the hand-written form of the name of a qualified write-in candidate must be disregarded if the intention of the voter can be reasonably determined.¹³
14. If a paper ballot is left at a voting booth or anywhere else in the polling site without being inserted by the voter into the ballot box before departing the polling site, a poll worker shall write “Abandoned” on the ballot and place it into an “Abandoned Ballot” envelope with a notation on the outside of the envelope of the circumstances surrounding the abandoned ballot. The ballot shall not be counted.¹⁴
15. If a paper ballot that is fed by a voter into an electronic vote tabulating device is rejected by the device but is in the receiving part of the counter, and the voter has departed the polling site without instructing a poll worker to cancel or replace the ballot, then two (2) poll workers shall override warnings and complete the process of casting the ballot. The poll workers shall document the time they completed the process of casting the ballot, the name of the voter, the names of the poll workers completing the process, and all other circumstances surrounding the abandoned ballot.¹⁵

¹² A.C.A. § 7-5-205(4), as amended by Act 1480 of 2009

¹³ A.C.A. § 7-5-205(4), as amended by Act 1480 of 2009

¹⁴ A.C.A. § 7-5-309(g), as amended by Act 959 of 2009

¹⁵ A.C.A. § 7-5-309(h), as amended by Act 959 of 2009

§ 302 Direct Recording Electronic Voting Machine

Voting machines are constructed to notify a voter when more than the maximum allowable number of selections in any one (1) contest are made, thus preventing the voter from over-voting any contest on the ballot. Voting machines can be programmed to alert the voter of any under-voted contest.¹⁶

If a voter fails to complete the process of casting an electronic ballot on a voting machine and departs the polling site without notifying a poll worker of his or her desire to cancel the ballot prior to departing, two (2) poll workers shall take action to complete the process of casting the ballot. The poll workers must document the time, the name of the voter, if known, the names of the poll workers completing the process of casting the ballot, and all other circumstances surrounding the abandoned ballot.¹⁷

¹⁶ A.C.A. § 7-5-504(9)

¹⁷ A.C.A. § 7-5-522(d), as amended by Act 959 of 2009

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RULES ON PROVISIONAL VOTING

(Effective April 22, 2006; Revised September 25, 2009)



STATE BOARD OF ELECTION COMMISSIONERS
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Scope of Rules

These rules set forth the procedures for issuing, processing, and counting provisional ballots. These rules are in addition to and not a substitute for the laws of the State of Arkansas.

§ 900 Definitions

- (a) Absentee Ballot Processing Site – a place designated by the county board of election commissioners in the courthouse where election clerks for absentee ballots meet on election day for the purpose of processing absentee ballots.¹
- (b) Ballot Style – a ballot’s combination of contests and issues to be voted upon that is unique to each precinct.
- (c) Challenged Ballot Form – the applicable portion of a “provisional voter envelope” (see Attachment “A”) that are completed when a poll watcher challenges a voter, identifying the voter whose vote was challenged, the poll watcher, the reason for the challenge, the applicable provisional voter number from the list of provisional voters (see Attachment “B”), poll, precinct, ballot style, and the date and time of the challenge under the signature of both the poll watcher and the challenged voter.
- (d) Counting Site – a location selected by the county board of election commissioners with respect to all elections for the processing and/or counting of votes.²
- (e) County Board of Election Commissioners – the three-member board in each of the 75 counties in this State consisting of local election officials responsible for conducting all elections within their respective county, including one (1) member selected by the county committee of the majority party (generally the county committee chair), one (1) member selected by the county committee of the minority party (generally the county committee chair), and a third member selected by the county committee of the majority party at the same time as the election of party officers.³
- (f) Election Clerk – for the purpose of these rules, a person possessing the same qualifications as a poll worker who is designated by the county board of election commissioners to process, count, and canvass absentee ballots⁴ under the supervision of the county board.
- (g) Election Official – a person who is a member of the county board of election commissioners or a person designated by a county board of election commissioners to be an election clerk, election judge, or election sheriff.⁵

¹ A.C.A. § 7-5-416(a)(1)

² A.C.A. § 7-1-101(8), as amended by Acts 659, 959, and 1480 of 2009

³ A.C.A. §§ 7-1-101(10), as amended by Acts 659, 959, and 1480 of 2009; 7-4-102(a)

⁴ A.C.A. § 7-5-414, as amended by Act 959 of 2009

⁵ A.C.A. §§ 7-1-101(10), as amended by Acts 659, 959, and 1480 of 2009; 7-5-418(b)(2)

- (h) Eligibility Affirmation – a written affirmation executed by a provisional voter in the presence of the poll worker at the poll stating that he or she is a registered voter in the precinct in which he or she desires to vote and is eligible to vote in that election (see Attachment “A”).⁶
- (i) First-time Voter Registered by Mail – any registered voter, except those exempted by Arkansas Code Annotated § 7-5-201(d)(2), who has not previously voted in a federal election in the state and whose registration application arrived at the county clerk’s office or Secretary of State’s office by mail.⁷ “First-time voters registered by mail” who do not provide identification when registering are flagged by the county clerk for the identification requirement. “First-time voters registered by mail” who provided a driver’s license number or the last four (4) digits of their social security number on their voter registration application form are considered as having provided identification. Registration applications arriving in bulk at the registrar’s office or delivered by leaders of voter registration drives are considered to have been delivered in person, not by mail, and are, therefore, not considered “first-time voters registered by mail” and not flagged by the county clerk for the identification requirement.
- (j) Polling Site – a location selected by the county board of election commissioners where votes are cast.⁸
- (k) Poll Watcher – any authorized representative of a candidate, any authorized representative of a group seeking passage or defeat of a measure on the ballot, and any authorized representative of a political party with a candidate on the ballot who is present at a polling site or an absentee ballot processing site to observe and ascertain the identity of persons presenting themselves to vote at the polls or to observe and ascertain the identity of absentee voters for the purpose of challenging any voter in person or for the purpose of challenging any absentee vote. An authorized representative of a candidate or political party may also be present at all counting sites for the purpose of witnessing the counting of ballots by election officials. A candidate may be present in person only during the counting and tabulation of ballots and the processing of absentee ballots.⁹
- (l) Poll Watcher Authorization Form – an affidavit, in the form specified by law, designating and authorizing a poll watcher. The “poll watcher authorization form” must be filed with the county clerk and a file-marked copy presented to an election official immediately upon entering the polling site, absentee ballot processing site, or counting site. Candidates in person attending a counting site or absentee ballot processing site must present identification, but are not required to present a Poll Watcher Authorization Form (see Attachment “C”).¹⁰
- (m) Poll worker – person designated by the county board of election commissioners to serve as an election clerk, election judge, or an election sheriff at a polling site.
- (n) Precinct – the geographical boundary lines dividing a county, municipality, township, or school district for voting purposes.¹¹

⁶ A.C.A. § 7-5-308(a)(2), as amended by Act 1480 of 2009

⁷ A.C.A. §§ 7-1-101(13), as amended by Acts 659, 959, and 1480 of 2009; 7-5-201(d)

⁸ A.C.A. § 7-1-101(22), as amended by Acts 659, 959, and 1480 of 2009

⁹ A.C.A. § 7-5-312, as amended by Act 1480 of 2009; 7-5-316(a); 7-5-416(a)(4); 7-5-527(b); 7-5-615(a)

¹⁰ A.C.A. § 7-5-312(d),(e), as amended by Act 1480 of 2009

¹¹ A.C.A. § 7-1-101(23), as amended by Acts 659, 959, and 1480 of 2009

- (o) Precinct Voter Registration List – a computerized list provided by the county clerk and used by poll workers in each polling place for every election conducted in the state indicating the name and date of the election; identifying the precinct’s number and county in which located; and containing the name, address, and date of birth of each registered voter, including those who have been designated inactive, within the precinct with a space for each voter’s signature.¹² In any precinct with more than one (1) ballot style, the precinct voter registration list must also identify the district, sub-district, county, municipality, ward, and school zone in which each voter is qualified to vote.¹³
- (p) Provisional Ballot – a ballot cast by special procedures to record a vote when there is some question concerning a voter’s eligibility and counted contingent upon the verification of the voter’s eligibility.¹⁴
- (q) Provisional Voter Envelope – an envelope used by poll watchers for voter challenges and by poll workers for voter qualification issues containing information relating to provisional voters, including a provisional voter’s eligibility affirmation, the reason for voting provisional, the ballot style voted, the county clerk’s certification of the provisional voter’s registration status, and the disposition of the provisional ballot upon review by the county board of election commissioners. A “provisional voter envelope” shall have printed on it all the information sought by “Attachment “A”.

§ 901 Voter Identification

A. Forms

Poll workers must **ASK** all voters to provide one of the following forms of identification:

- 1) A current and valid photo identification (such as a driver’s license),
- 2) A copy of a current utility bill showing the voter’s name and address,
- 3) A copy of a bank statement showing the voter’s name and address,
- 4) A copy of a government check or paycheck showing the voter’s name and address, or
- 5) A copy of a government document showing the voter’s name and address.¹⁵

B. Failure to Provide

Only first-time voters who registered by mail and did not provide proper identification when registering (see definition of “first-time voter registered by mail”) are **REQUIRED** to provide identification when voting.¹⁶

¹² A.C.A. § 7-5-107, as amended by Act 959 of 2009

¹³ A.C.A. § 7-5-110

¹⁴ A.C.A. §§ 7-1-101(25), as amended by Acts 659, 959, and 1480 of 2009; 7-5-304(c), as amended by Act 959 of 2009; 7-5-305(a)(8)(B)(ii); 7-5-306(b); 7-5-308, as amended by Act 1480 of 2009; 7-5-312(h), as amended by Act 1480 of 2009; 7-5-412(b), as amended by Act 250 of 2009; 7-5-416(b)(1)(F)(iii), as amended by Act 250 of 2009; 7-5-417(a); 7-5-418(d)

¹⁵ A.C.A. §§ 7-5-201(d)(1)(A); 7-5-305(a)(8)(A)

¹⁶ A.C.A. § 7-5-201(d)

If a first-time voter who registered by mail did not provide identification when registering, the voter must provide identification (as indicated on the precinct voter registration list) at the poll when voting or he or she must vote a **PROVISIONAL** ballot.¹⁷

All first-time voters who registered by mail and did not provide identification when registering are **REQUIRED** to provide identification when voting absentee or the ballot cast by mail must be considered **PROVISIONAL**.¹⁸

For all other voters, if the voter (including first-time voters who registered by mail and provided identification when registering) is unable to provide or declines to provide identification when voting, the poll worker must indicate on the precinct voter registration list that the voter did not provide identification and give the voter a **REGULAR** ballot.¹⁹

§ 902 Precinct Voter Registration List

A. Voter's Name Missing

When a voter provides his or her name, address, and date of birth to a poll worker, and the voter's name is not on the precinct voter registration list, the poll worker must:

- 1) Contact the county clerk's office to verify the voter's registration status, and
- 2) Allow the voter to cast a **REGULAR** ballot (if the county clerk informs the poll worker that the voter is listed as a registered voter of the precinct),²⁰ or
- 3) Allow the voter to cast a **REGULAR** ballot (if the county clerk informs the poll worker that the voter transferred his or her registration from another county not later than four (4) days before the election and that the voter is at the correct poll in the new county of registration),²¹ or
- 4) Send the voter to his or her correct polling site where the voter may cast a **REGULAR** ballot (if the county clerk informs the poll worker that the voter is listed as a registered voter at a different precinct in the county), or
- 5) Allow the voter to cast a **PROVISIONAL** ballot at the disputed polling site (if the county clerk informs the poll worker that the voter is listed as a registered voter at a different precinct in the county, but the voter insists that he or she is at the correct polling site), or
- 6) Allow the voter to cast a **PROVISIONAL** ballot (if the county clerk is unable to verify the voter's registration, but the voter contends that he or she is both registered in the precinct in which he or she desires to vote and is eligible to vote).²²

B. "Voted Absentee" Notation

Upon delivery of an absentee ballot to an individual authorized to receive an absentee ballot, the county clerk shall mark the precinct voter registration list to indicate that an absentee ballot has been delivered to the voter.²³

¹⁷ A.C.A. §§ 7-5-201(d); 7-5-305(a)(8)(B)(ii)

¹⁸ A.C.A. §§ 7-5-201(d); 7-5-412(b), as amended by Act 250 of 2009; 7-5-416(b)(1)(F)(iii), as amended by Act 250 of 2009

¹⁹ A.C.A. § 7-5-305(a)(8)(B)(i), as amended by Act 959 of 2009

²⁰ A.C.A. § 7-5-306(a), as amended by Act 959 of 2009

²¹ Amend. 51, §10 of the Arkansas Constitution

²² A.C.A. §§ 7-5-306(b), as amended by Act 959 of 2009; 7-5-418(d)

Any person to whom an absentee ballot is delivered according to the precinct voter registration list, but who chooses to vote by early voting or to vote at his or her polling site on election day, shall be permitted to cast a provisional ballot at the poll.²⁴

§ 903 Poll Watcher Challenges

A. Official Recognition/Credentials

Poll watchers representing a candidate, group, or political party must file a “poll watcher authorization form” (see Attachment “C”) with the county clerk of the county in which the polling site, absentee ballot processing site, or counting site is located and present a file-marked copy of the valid affidavit to the election officials immediately upon entering the polling site, absentee ballot processing site, and/or counting site.²⁵

A candidate may be present in person only during the counting and tabulation of ballots and the processing of absentee ballots and is not required to present a “poll watcher authorization form”, but must present some form of identification to an election official immediately upon entering the site.²⁶

Only one (1) authorized poll watcher per candidate, group, or party at any one (1) time may be officially recognized as a poll watcher at each location within a polling site where voters identify themselves to election officials and at each location within the absentee ballot processing site where absentee ballots are processed.²⁷

Only one (1) authorized poll watcher per candidate or party at any one (1) time may be officially recognized as a poll watcher at the counting of ballots at the polling site, central counting location, or absentee ballot counting location.²⁸

Poll watcher rights and responsibilities must be posted in plain view at each polling site, absentee ballot processing site, and counting site.²⁹

B. Challenges

Authorized poll watchers who are officially recognized at a polling site may stand close enough to the place where voters check in to vote so as to hear the voter’s name and may challenge any voter upon notifying a poll worker of the challenge before the voter signs the precinct voter registration list and upon completing a “challenged ballot form” (see Attachment “A”).³⁰

²³ A.C.A. § 7-5-409(g)

²⁴ A.C.A. §§ 7-5-201(d); 7-5-305(a)(11); 7-5-411(b)

²⁵ A.C.A. § 7-5-312(d)

²⁶ A.C.A. § 7-5-312(a)(1),(e), as amended by Act 1480 of 2009

²⁷ A.C.A. § 7-5-312(b),(e), as amended by Act 1480 of 2009

²⁸ A.C.A. § 7-5-312(c),(e)

²⁹ A.C.A. § 7-5-312(f)

³⁰ A.C.A. § 7-5-312(e),(h), as amended by Act 1480 of 2009

A poll watcher may challenge a voter only on the grounds that the voter is not eligible to vote in the precinct or that the voter has already voted in the election.³¹

When election clerks appointed by the county election commission to process, count, and canvass absentee ballots read the name and voting precinct of an absentee voter, any qualified poll watcher may challenge the vote in the same manner provided by law for personal voting challenges, and the election clerks must consider the absentee ballot as a provisional ballot.³²

§ 904 Court-Ordered Extension

A person who votes in an election as a result of a federal or state court order or any other order extending the time established for closing the polls may vote in the election only by casting a provisional ballot. The provisional ballots cast as a result of the order must be separated and held apart from other provisional ballots cast by provisional voters not affected by the order.³³

§ 905 Voting a Provisional Ballot

Provisional ballots should be handled as follows:

- 1) If as a result of a poll watcher challenge, the poll watcher must notify a poll worker of the challenge before the voter signs the precinct voter registration list and must complete a “challenged ballot form” (See Attachment “A”).³⁴
- 2) If as a result of a poll watcher challenge, a poll worker must inform the voter that his or her ballot is being challenged.³⁵
- 3) The provisional voter must execute a written eligibility affirmation in the presence of the poll worker stating that he or she is both a registered voter in the precinct in which he or she desires to vote and eligible to vote in the election.³⁶
- 4) The poll worker shall initial the back of the ballot, remove the ballot stub from the provisional ballot, and place the stub in the stub box provided.³⁷
- 5) The provisional voter shall mark his or her ballot.³⁸
- 6) The provisional voter shall place his or her voted ballot in a ballot secrecy envelope marked “PROVISIONAL BALLOT” and seal the envelope (nothing else goes in this envelope).³⁹
- 7) The provisional voter shall then place the sealed ballot secrecy envelope marked “Provisional Ballot,” containing his or her voted provisional ballot in a “provisional voter envelope”, seal it, and give it to the poll worker.⁴⁰
- 8) The poll worker must provide the provisional voter written information instructing him or her on how to determine whether his or her vote was counted, and if not, the reason the vote was not counted.⁴¹

³¹ A.C.A. § 7-5-312(g), as amended by Act 1480 of 2009

³² A.C.A. §§ 7-5-414, as amended by Act 959 of 2009; 7-5-417(a)

³³ A.C.A. § 7-5-304(c), as amended by Act 959 of 2009

³⁴ A.C.A. § 7-5-312(e),(h), as amended by Act 1480 of 2009

³⁵ A.C.A. §§ 7-5-308(a)(1), as amended by Act 1480 of 2009; 7-5-312(h), as amended by Act 1480 of 2009

³⁶ A.C.A. § 7-5-308(a)(2), as amended by Act 1480 of 2009

³⁷ A.C.A. § 7-5-308(a)(3), as amended by Act 1480 of 2009

³⁸ A.C.A. § 7-5-308(a)(4), as amended by Act 1480 of 2009

³⁹ A.C.A. § 7-5-308(a)(5), as amended by Act 1480 of 2009

⁴⁰ A.C.A. § 7-5-308(a)(6), as amended by Act 1480 of 2009

- 9) The poll worker must make and retain a separate list of the names and addresses of all persons casting a provisional ballot (see Attachment “B”).⁴²
- 10) The poll worker must preserve, secure, and separate all provisional ballots from the remaining ballots⁴³ and forward all sealed “provisional voter envelopes” in a secured container provided for that purpose to the county board of election commissioners after the polls close.
- 11) The county board of election commissioners will forward in a secured container the sealed “provisional voter envelopes” to the county clerk’s office for completion of the certification portion of the envelope.
- 12) Upon completion of the certification portion of the envelope, the county clerk returns the secured container of sealed “provisional voter envelopes” to the county board for determination before certification of the election results as to whether the provisional ballots are valid and should be counted.⁴⁴

§ 906 Notice to Provisional Voters

Whenever a person casts a provisional ballot, the poll worker must provide the voter written information stating that the provisional voter may ascertain whether his or her vote was counted and the reason if not counted by accessing a free access system established by the Secretary of State.⁴⁵

The system that the Secretary of State has established for provisional voters involves written notice mailed first class to the provisional voter by the county board of election commissioners stating that the provisional ballot was or was not counted. If the provisional vote was not counted, the notice shall indicate the reason the vote was not counted. Sample notices may be obtained from the Secretary of State’s office.

Access to information about an individual provisional ballot shall be restricted to the individual who cast the ballot.⁴⁶

§ 907 Preliminary Review of Provisional Ballots

The county board of election commissioners shall determine whether provisional ballots are valid before certifying the election.⁴⁷

The county board should examine the sealed outer “provisional voter envelope” (see Attachment “A”), including the challenged ballot portion, if any, the eligibility affirmation of the provisional voter, and the county clerk’s certification of the provisional voter’s registration status without unsealing the outer “provisional voter envelope” or removing or opening the inner ballot secrecy envelopes marked “PROVISIONAL BALLOT” containing the provisional voter’s voted ballot.

⁴¹ A.C.A. § 7-5-308(a)(7), as amended by Act 1480 of 2009

⁴² A.C.A. § 7-5-308(a)(8), as amended by Act 1480 of 2009

⁴³ A.C.A. § 7-5-308(b), as amended by Act 1480 of 2009

⁴⁴ A.C.A. §§ 7-5-308(d)(1), as amended by Act 1480 of 2009; 7-5-417(c)

⁴⁵ A.C.A. § 7-5-308(c), as amended by Act 1480 of 2009

⁴⁶ A.C.A. § 7-5-308(c)(3), as amended by Act 1480 of 2009

⁴⁷ A.C.A. § 7-5-308(d)(1), as amended by Act 1480 of 2009

Based upon the examination of the sealed outer “provisional voter envelope” and any additional information available, the county board shall make a preliminary determination of whether the provisional ballot was cast by a registered voter and was the correct ballot for the precinct of the voter’s residence according to the precinct listed on the voter’s eligibility affirmation.⁴⁸

The county board must complete the disposition portion of the “provisional voter envelope” and notify each provisional voter by first class mail as to whether or not his or her provisional ballot was counted.

If the county board makes a preliminary determination that the provisional ballot will not be counted, the county board must notify the provisional voter of the reason for rejecting the provisional voter’s ballot and of the date, time, and place for a hearing before a final determination is made.⁴⁹

When reviewing the provisional ballot of a first-time voter who registered by mail and did not provide identification when registering or voting, the county board should not base its preliminary determination of whether or not to count the ballot solely on the provisional voter’s failure to provide identification. The provisional ballot should be rejected only if there is an indication, independent of the failure to show identification, that the person who voted is not the person who registered. The county board must notify the provisional voter of his or her right to a hearing before a final determination is made.

When reviewing the provisional ballot of any person who was delivered an absentee ballot according to the precinct voter registration list, but then chose to cast a provisional ballot at an early voting or election day polling site, the county board shall:

- 1) Count the voter’s absentee ballot rather than the provisional ballot cast at the polling site, if the absentee ballot was returned and processed for counting on election day before the time of counting provisional ballots, or
- 2) Count the voter’s provisional ballot cast at the polling site, if the voter’s absentee ballot was not returned or was not processed for counting on election day by the time of counting provisional ballots.

§ 908 Hearing

Having notified each provisional voter by first class mail of its preliminary determination and of a right to a hearing, the county board should, as expeditiously as possible by telephone, if feasible, notify the provisional voters whose ballots were preliminarily rejected of the date, time, and place for a hearing to be held before a final determination is made.

These provisional voters shall be allowed to provide identification or other evidence of their registration status to the county board, county board staff, or the county clerk at any time prior to the scheduled hearing.

These provisional voters must be allowed to appear before the county board to contest the county board’s preliminary decision to disqualify their vote and allowed to present evidence that they were registered to vote and voted the correct ballot for the precinct of their residence.

⁴⁸ A.C.A. § 7-5-308(d)(2), as amended by Act 1480 of 2009

⁴⁹ *Dotson v. Richey*, 211 Ark. 789 (1947)

If these provisional voters do not appear for a hearing or otherwise provide satisfactory evidence of their registration status, then the ballot shall not be counted.

The commission completes the election commission's portion of the list of provisional voters form (see Attachment "B"), and all records are preserved in accordance with the laws governing preservation of ballots and election materials.

The process of hearing and final decision must be completed by the deadline to certify the election results.

§ 909 Counting Provisional Ballots

Unless enjoined by a court of competent jurisdiction, a provisional ballot shall be counted if it is cast by a registered voter and is the correct ballot for the precinct of the voter's residence according to the precinct listed on the voter's eligibility affirmation.⁵⁰

In counting provisional ballots, the county board must ensure the secrecy of the ballot pursuant to Amendment 81 of the Arkansas Constitution.

Provisional ballots are counted as follows:

- 1) the commission completes the election commission's portion of the list of provisional voters form (see Attachment "B"),
- 2) an election official opens the outer "provisional voter envelope" (see Attachment "A") for those on the list marked to be counted (see Attachment "B"),
- 3) the election official removes the sealed inner ballot secrecy envelope marked "PROVISIONAL BALLOT" containing the provisional voter's voted ballot,
- 4) the election official places the sealed inner ballot secrecy envelope marked "PROVISIONAL BALLOT" containing the provisional voter's voted ballot in a ballot box provided for that purpose,
- 5) when all the outer "provisional voter envelopes" have been opened and all the sealed inner ballot secrecy envelopes placed in the ballot box, the election official shakes the ballot box thoroughly to mix the sealed envelopes containing the provisional ballots,
- 6) the ballot box is then opened, the secrecy envelopes containing the voted provisional ballot opened, and the provisional ballots canvassed and counted, and
- 7) all records are preserved in accordance with the laws governing preservation of ballots and election materials.

§ 910 Prosecuting Attorney

Following each election, the county board of election commissioners may review the precinct voter registration lists for voters not providing identification at the polls and forward the information to the prosecuting attorney for investigation of possible voter fraud.⁵¹

⁵⁰ A.C.A. §7-5-308(d)(2), as amended by Act 1480 of 2009

⁵¹ A.C.A. § 7-5-305(a)(8)(B)(iii), (iv)

If, upon examination of any provisional ballot, the county board suspects that a violation of election laws has occurred, the county board may refer the matter to the prosecuting attorney for that county.⁵²

§ 911 Preliminary and Unofficial Results

The processing and counting of provisional ballots, including hearings, shall not delay the declaration of preliminary and unofficial results required by Arkansas Code Annotated § 7-5-701. When reporting preliminary and unofficial results, the county board of election commissioners should also report the number of uncounted provisional ballots pending review and the number of outstanding overseas absentee ballots.

§ 912 Official Certified Results

The official certified results of the election shall include the votes cast on all provisional ballots that were determined by the county board of election commissioners to be valid.

⁵² A.C.A. § 7-5-308(e), as amended by Act 1480 of 200

PROVISIONAL VOTER ENVELOPE

Provisional Voter Number: _____ Date: _____ Time: _____

Poll Name: _____ Precinct #: _____ Ballot Style: _____

CHALLENGED BALLOT FORM**(To be completed when a poll watcher challenges a voter)**

Name of Voter Challenged: _____

Name of Poll Watcher: _____

Entity Represented: _____
(Name of candidate, group or party the poll watcher represents from the Poll Watcher Affidavit)

Reason for Challenge: _____

Signature of Poll Watcher: _____

Signature of Challenged Voter: _____

PROVISIONAL VOTER ELIGIBILITY AFFIRMATION**(To be completed on voter qualification issues)**

Voter's Name: _____ Prior Name: _____

Current Street Address: _____ Prior Street Address: _____

City, State, Zip: _____ Prior City, State, Zip: _____

Phone Number(s): _____

Date of Birth: _____ Provided Identification: Yes ☐ No ☐I, _____, hereby affirm that the information provided is true
(printed name of provisional voter)*and accurate and that to the best of my knowledge I am a registered voter in this precinct and am eligible to vote in this election.**I understand that the County Board of Election Commissioners will count my ballot only upon verification of my voter registration status. My signature on this form is my request to be notified as to whether or not my vote was counted. I understand that the County Board of Election Commissioners will notify me by first class mail.***Witnessed by:**_____
Signature of Provisional Voter_____
Signature of Poll Worker**Reason for Voting Provisional**
(To be completed by a poll worker)

- ☐ Poll Watcher Challenge
- ☐ Not on Precinct Voter Registration List
- ☐ First-time Voter Flagged to Show ID (No ID)
- ☐ Previously Sent Absentee Ballot
- ☐ Court-ordered Voting Extension
- ☐ Other _____

Ballot Style**(To be completed by a poll worker)**

Ballot Style _____ given to the provisional voter based upon the voter's affirmation of eligibility for this jurisdiction.

Signature of Poll Worker

CERTIFICATION

(To be completed by the County Clerk's Office)

County: _____

A. PROVISIONAL VOTER

Match	No Match	
--------------	-----------------	--

<input type="checkbox"/>	<input type="checkbox"/>	Name: _____
--------------------------	--------------------------	-------------

<input type="checkbox"/>	<input type="checkbox"/>	Prior Name: _____
--------------------------	--------------------------	-------------------

<input type="checkbox"/>	<input type="checkbox"/>	Current Address: _____
--------------------------	--------------------------	------------------------

<input type="checkbox"/>	<input type="checkbox"/>	Prior Address: _____
--------------------------	--------------------------	----------------------

<input type="checkbox"/>	<input type="checkbox"/>	Date of Birth: _____
--------------------------	--------------------------	----------------------

I, _____, hereby certify that a data search was performed
(printed name of County Clerk or Deputy)
on the foregoing information in an effort to verify the voter registration status for the individual voting this provisional ballot and hereby confirm that the voter is registered in
_____ in _____.
(Name of County) (Precinct Number)

Signature of County Clerk or Deputy

I, _____, hereby certify that a data search was performed
(printed name of County Clerk or Deputy)
on the foregoing information in an effort to verify the voter registration status for the individual voting this provisional ballot, but was unable to confirm the provisional voter's registration status.

Signature of County Clerk or Deputy

DISPOSITION OF PROVISIONAL BALLOT

(To be completed by the County Board of Election Commissioners)

Yes	No	
-----	----	--

<input type="checkbox"/>	<input type="checkbox"/>	Provisional Ballot Counted, if not, Reason Not Counted: _____
--------------------------	--------------------------	---

<input type="checkbox"/>	<input type="checkbox"/>	Provisional Voter Notified by First Class Mail Date: _____
--------------------------	--------------------------	---

_____ County Election Commissioner	_____ County Election Commissioner	_____ County Election Commissioner
(At least one Election Commissioner must sign)		

LIST OF PROVISIONAL VOTERS

Arkansas Code Annotated § 7-5-308 requires poll workers to make a list of the names and addresses of all persons voting a provisional ballot and requires county election commissions to determine the validity of each provisional ballot prior to certification of the election.

Date of Election: _____

Poll Name: _____

Precinct #(s): _____

TO BE COMPLETED BY POLL WORKERS			TO BE COMPLETED BY ELECTION COMMISSION		
No.	Voter's Name	Voter's Address	Vote counted		If not counted, reason
			Yes	No	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					

Commissioner Signature_____
Commissioner Signature_____
Commissioner Signature

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POLL WATCHER AUTHORIZATION FORM*[A.C.A. § 7-5-312, as amended by Act 1480 of 2009]***Representative of a Candidate**

I, _____, state that I am a candidate for the office of _____ in the _____ election. I further state that I have designated _____ as my authorized representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Representative of a Group

I, _____, state that I represent the _____ group which is seeking passage/defeat (*circle one*) of the ballot measure entitled _____ on the ballot in the _____ election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417.

Representative of a Party

I, _____, state that I am the chair or secretary of the _____ state/county (*circle one*) committee for the _____ party with candidates on the ballot in the _____ election. I further state that I have designated _____ as an authorized party representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas, for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Signature of Candidate, Group Representative, or Chair/Secretary of the State/County Committee

Acknowledged before me this _____ day of _____, 20 ____.

Notary Public: _____ My Commission Expires: _____

I do hereby state that I am familiar with the rights and responsibilities of a poll watcher as outlined on the back of the poll watcher authorization form and will in good faith comply with the provisions of same.

Signature of the Poll Watcher

Acknowledged before me this _____ day of _____, 20 ____.

Notary Public: _____ My Commission Expires: _____

I do hereby acknowledge the filing of this poll watcher authorization form with the county clerk's office.

Signature of County Clerk

A poll watcher may be:

- (1) A candidate in person, but only during the counting and tabulation of ballots and the processing of absentee ballots;
- (2) An authorized representative of a candidate;
- (3) An authorized representative of a group seeking the passage or defeat of a measure on the ballot; or
- (4) An authorized representative of a party with a candidate on the ballot.

Official recognition of poll watchers:

- (1) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within a polling site where voters identify themselves to election officials;
- (2) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within the absentee ballot processing site where absentee ballots are processed; and
- (3) Only one (1) authorized poll watcher per candidate or party at any one (1) given time may be officially recognized as a poll watcher at the counting of the ballots.

Poll watcher credentials:

- (1) Except for candidates in person, poll watchers must present a valid affidavit in the form of a “Poll Watcher Authorization Form” to an election official immediately upon entering the polling or counting location.
- (2) Candidates in person attending a counting site or absentee ballot processing site are not required to present a “Poll Watcher Authorization Form” but must present some form of identification to an election official immediately upon entering the site for the purpose of confirming the poll watcher as a candidate on the ballot.

Poll watchers may:

- (1) Observe the election officials;
- (2) Stand close enough to the place where voters check in to vote so as to hear the voter’s name;
- (3) Compile lists of persons voting;
- (4) Challenge ballots upon notification to an election official before the voter signs the precinct voter registration list and upon completing a “Challenged Ballot Form” (see Attachment “A”);
- (5) Call to the attention of the election sheriff any occurrence believed to be an irregularity or violation of election law. The poll watcher may not discuss the occurrence unless the election sheriff invites the discussion; and
- (6) Be present at the opening, processing, and canvassing of absentee ballots for the purpose of challenging absentee votes in the manner provided by law for personal voting challenges.

Poll watchers representing a candidate or political party may:

- (1) Remain at the polling site after the poll closes if ballots are counted at the poll;
- (2) Be present at the counting of votes by hand or by an electronic vote tabulating device at a central location;
- (3) Be present at the counting of absentee ballots for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted; and
- (4) Upon request made to an election official, inspect any or all ballots at the time the ballots are being counted.

Poll watchers may not:

- (1) Be within six feet (6’) of any voting machine or booth used by voters to cast their ballot;
- (2) Speak to any voter or in any way attempt to influence a voter inside the polling site or within one hundred feet (100’) of the primary exterior entrance used by voters to the building containing the polling site; or
- (3) Disrupt the orderly conduct of the election.

**GUIDELINES FOR STATE-FUNDED COMPENSATION
FOR
COUNTY ELECTION COMMISSIONERS' TRAINING**
(Effective December 1, 2005; Revised December 10, 2009)



**STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834
(800) 411-6996
www.arkansas.gov/sbec**

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County Election Commissioner Compensation for Training Attendance

Arkansas Code Annotated § 7-4-109 requires that each member of the county boards of election commissioners attend election training conducted by the State Board of Election Commissioners before each preferential primary election held in May.

Each county election commissioner attending the training is eligible to receive \$100, plus mileage reimbursement at the rate established for state employees by state travel regulations.

Election commissioner training compensation will be paid by the State Board to the County Treasurer upon receipt from the county of the attached reporting form approved and provided by the State Board to the county.

**FOR ADDITIONAL INFORMATION SEE
THE STATE BOARD OF ELECTION COMMISSIONERS'
RULES FOR COUNTY ELECTION COMMISSIONERS TRAINING**

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**COUNTY ELECTION COMMISSIONERS' TRAINING COMPENSATION
REQUEST FORM**

COUNTY: _____

NAMES OF COMMISSIONERS	DATE OF CERTIFICATION*	COMPENSATION FOR ATTENDING TRAINING CONDUCTED BY THE STATE BOARD OF ELECTION COMMISSIONERS				TOTAL COMPENSATION DUE
		Flat Rate of \$100.00	MILEAGE			
			# of Miles (Roundtrip)	Rate \$0.42	Mileage Due	
Democratic Commissioner:		\$100.00		\$0.42		
Republican Commissioner:		\$100.00		\$0.42		
Third Member:		\$100.00		\$0.42		
TOTAL						

* Date on the Certificate Issued by the State Board of Election Commissioners

RETURN TO:
State Board of Election Commissioners
501 Woodlane, Suite 401N
Little Rock, AR 72201
501-682-1834 800-411-6996

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**GUIDELINES FOR STATE-FUNDED COMPENSATION
FOR
STATE BOARD-CERTIFIED TRAINERS**
(Effective December 17, 2003; Revised December 10, 2009)



STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834
(800) 411-6996
www.arkansas.gov/sbec

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State Board-Certified Trainer Compensation

Each county board of election commissioners must designate two (2) qualified electors of the county to attend training conducted by the State Board of Election Commissioners for the purpose of being certified by the State Board as poll worker trainers for the county.

Upon successful completion of training and certification by the State Board, a maximum of two (2) certified trainers per county are eligible to receive \$100 each, plus mileage reimbursement at the rate established for state employees by state travel regulations.

Compensation for State Board-Certified Trainers Conducting Training in the County

Arkansas Code Annotated § 7-4-109 requires that each county board of election commissioners designate a minimum of two (2) poll workers per polling site to attend poll worker training conducted locally by State Board-certified trainers and coordinated by the State Board.

The two (2) certified trainers per county are eligible to receive an additional \$50 each per training session up to a maximum of two (2) sessions each for conducting poll worker training locally before the preferential primary election.

Certified trainers' compensation will be paid by the State Board to the County Treasurer upon receipt of the attached reporting form approved and provided by the State Board to the county.

**FOR ADDITIONAL INFORMATION SEE
THE STATE BOARD OF ELECTION COMMISSIONERS'
RULES FOR ELECTION OFFICIALS (POLL WORKERS) TRAINING**

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**STATE BOARD-CERTIFIED TRAINERS' COMPENSATION
REQUEST FORM**

COUNTY: _____

NAMES OF CERTIFIED POLL WORKER TRAINERS	DATE OF CERTIFICATION*	COMPENSATION FOR ATTENDING TRAINING CONDUCTED BY THE STATE BOARD OF ELECTION COMMISSIONERS IN LITTLE ROCK				COMPENSATION FOR CONDUCTING POLL WORKERS TRAINING IN THE COUNTY			TOTAL COMPENSATION DUE
		Flat Rate of \$100.00	# of Miles (Roundtrip)	Rate \$0.42	Mileage Due	# of Sessions Conducted**	Flat Rate of \$50.00	Due	
Trainer 1:		\$100.00		\$0.42			\$50.00		
Trainer 2:		\$100.00		\$0.42			\$50.00		
Total									

* Date on the Certificate Issued by the State Board of Election Commissioners

** Maximum of two (2) local poll worker training sessions per trainer per county

RETURN TO:
State Board of Election Commissioners
501 Woodlane, Suite 401N
Little Rock, AR 72201
501-682-1834 800-411-6996

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**GUIDELINES FOR REIMBURSEMENT
OF
STATE-FUNDED EXPENSES
FOR
MAY PREFERENTIAL PRIMARY ELECTIONS**
(Effective November 7, 1995; Revised December 10, 2009)



STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834
(800) 411-6996
www.arkansas.gov/sbec

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ACTUAL EXPENSES SUMMARY
(For May Preferential Primary Elections)

County: _____

Election: _____

Name & Number of County Contact for Questions: _____

TOTAL NUMBER OF REGISTERED VOTERS _____

TOTAL NUMBER OF PRECINCTS _____

TOTAL NUMBER OF POLLING SITES (do not include absentee and early voting) _____

TOTAL NUMBER OF POLL WORKERS (do not include absentee and early voting) _____

1. POLL WORKERS PAY

a) Polling Sites on Election Day (Attachment "A")..... _____

b) Off-Site Early Voting Polling Sites (Attachment "B")..... _____

c) Training (Attachments "A" & "B" & "C")..... _____

2. PART-TIME HELP PAY

a) Election Materials Delivery (Attachments "A" & "C")..... _____

b) County Clerk Extra Deputy (Attachment "C")..... _____

c) Absentee Ballot Processing (Attachment "C")..... _____

d) Central Vote Tabulation (Attachment "C")..... _____

3. MILEAGE EXPENSES (Attachments "A" & "B" & "C") _____

4. ELECTION COMMISSIONERS PAY (Attachment "D")..... _____

5. SUPPLY COSTS

a) County Clerk Expenses (Attachment "E1")..... _____

b) County Election Commission Expenses (Attachment "E2")..... _____

6. PROGRAMMING COSTS (Attachment "F") _____

7. BALLOT PRINTING COSTS (Attachment "G")..... _____

8. LEGAL ADVERTISING COSTS (Attachment "H")..... _____

9. FACILITY FEES (Attachment "I")..... _____

GRAND TOTAL..... _____

I verify that these actual expenses truthfully reflect expenses as approved by the county board of election commissioners for the above referenced election and that all figures are accurate and appropriate to the best of my knowledge.

Print & Sign Name: _____

County Election Commission Chair

Print & Sign Name: _____

County Election Commissioner

Print & Sign Name: _____

County Election Commissioner

ALL THREE ELECTION COMMISSIONERS MUST SIGN

RETURN BY _____ TO:

STATE BOARD OF ELECTION COMMISSIONERS

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 OR (800) 411-6996

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**POLL WORKERS PAY
INSTRUCTIONS
FOR
ATTACHMENT “A”
(For May Preferential Primary Elections)
(Page 1 of 4)**

Pages 2 through 4 of Attachment “A” contain tables for gathering information on poll worker pay, training pay, and mileage reimbursement. The tables are separated into sections that are referenced in the instructions below. As you review the instructions, please refer to the tables.

INSTRUCTIONS:

Provide the name of each poll worker under the name of the polling site at which they worked on election day.

In Section 1, record each poll worker’s pay, \$100 for a full day or \$50 for a split-shift, and record the \$25 additional training pay, where applicable. The \$100 is based on approximately 14 hours at the new federal minimum wage of \$7.25 per hour.

In Section 2, record the hours (or fraction of an hour) and calculate the additional wages earned by poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

If poll workers count ballots at the poll on election day immediately upon closing the poll, you may also claim any poll worker hours in excess of a 14 hour day (time worked past 8:30 p.m.).

In Section 3, record the number of miles traveled and calculate the mileage expense of poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

Carry the “TOTALS” at the bottom of Attachment “A” forward, as indicated, to the appropriate line on the “ACTUAL EXPENSES SUMMARY” sheet.

RETURN ATTACHMENT “A” ALONG WITH THE SUMMARY SHEET

**FOR ADDITIONAL INFORMATION SEE
THE STATE BOARD OF ELECTION COMMISSIONERS’
RULES FOR REIMBURSEMENT OF EXPENSES FOR STATE-FUNDED
ELECTIONS**

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ATTACHMENT "A" For May Preferential Primary Elections (Page 2 of 4)

County:

Names of Poll Workers by Polling Site Name	SECTION 1		SECTION 2			SECTION 3		
	POLL WORKERS PAY		PART-TIME HELP			MILEAGE		
	\$100 Full Day \$50.00 Half Day	TRAINING \$25	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
				7.25			0.42	
				7.25			0.42	
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County:			
SECTION 3			
MILEAGE			
TOTAL MILES	RATE \$.42	MILEAGE EXPENSE	
		0.42	
		0.42	
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		0.42	
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ATTACHMENT "B" For May Preferential Primary Elections (Page 1 of 1)

Names of Off-Site Early Voting Poll Workers by Polling Site Name	SECTION 1	SECTION 2			SECTION 3		
	TRAINING \$25	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
			7.25			0.42	
			7.25			0.42	
			7.25			0.42	
			7.25			0.42	
			7.25			0.42	
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			7.25			0.42	
			7.25			0.42	
TOTALS	\$ (Line 1c)			\$ (Line 1b)			\$ (Line 3)

Provide the name of each off-site early voting poll worker under the name of the off-site early voting polling site at which they worked during early voting.

In Section 2, record the hours worked and calculate the wages earned by off-site early voting poll workers during the early voting period.

Carry the "TOTALS" at the bottom of Attachment "B" forward, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

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PART-TIME HELP PAY

ATTACHMENT "C" For May Preferential Primary Elections (Page 1 of 2)

County:

EXTRA DEPUTY TO THE COUNTY CLERK	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
TOTAL			\$ (Line 2b)

INSTRUCTIONS:

Provide the name of the extra deputy to the county clerk for absentee and early voting. In counties with more than one (1) county seat, provide the name of the extra deputy for each county seat.

Record the hours worked and calculate the wages earned by the extra deputy for the absentee and early voting period up to a maximum of thirty-five (35) days.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

PERSONNEL DESIGNATED TO TRANSPORT BALLOTS AND ELECTION SUPPLIES	SECTION 1			SECTION 2		
	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
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		7.25			0.42	
TOTALS			\$ (Line 2a)			\$ (Line 3)

INSTRUCTIONS:

Provide the names of all personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct. **DO NOT INCLUDE** poll workers here since their expenses were previously claimed on Attachment "A." **DO NOT REPORT** expenses for personnel designated to deliver voting machines and tabulators for their expenses are reported under Programming.

In Section 1, record the hours worked and calculate the wages earned by personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

In Section 2, record the number of miles traveled and calculate the mileage expense of personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION CLERKS PROCESSING ABSENTEE BALLOTS	SECTION 1	SECTION 2		
	TRAINING \$25	HOURS	RATE \$7.25	WAGES
			7.25	
			7.25	
			7.25	
			7.25	
			7.25	
			7.25	
			7.25	
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			7.25	
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			7.25	
TOTALS	\$ (Line 1c)		\$	(Line 2c)

INSTRUCTIONS:

Provide the name of each election clerk appointed by the county election commission who processed, canvassed, and counted absentee ballots.

In Section 1, record the \$25 training pay, where applicable, and **ONLY** if not previously claimed on Attachment "A" or Attachment "B." **No one is eligible for more than one (1) \$25 payment for attending training.**

In Section 2, record the hours worked and calculate the wages earned by election clerks who processed, canvassed, and counted absentee ballots on election day.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION OFFICIALS DESIGNATED TO TABULATE VOTES AT A CENTRAL COUNTING LOCATION	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
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		7.25	
		7.25	
		7.25	
TOTAL		\$	(Line 2d)

INSTRUCTIONS:

Provide the name of each election official appointed by the county election commission to tabulate votes at a central counting location.

Record the hours worked and calculate the wages earned by the election officials appointed by the county election commission to tabulate votes at a central counting location.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "C" ALONG WITH THE SUMMARY SHEET

ELECTION COMMISSIONERS PAY

ATTACHMENT "D" (Page 1 of 1)

County:

<div><div></div><div>Name of Commission Chair</div></div>	<div><div></div><div># meetings</div></div>	x \$100 = \$ <div></div>
<div><div></div><div>Name of Commissioner</div></div>	<div><div></div><div># meetings</div></div>	x \$100 = \$ <div></div>
<div><div></div><div>Name of Commissioner</div></div>	<div><div></div><div># meetings</div></div>	x \$100 = \$ <div></div>

TOTAL

\$

(Line 4)

INSTRUCTIONS:

Provide the name of each county election commissioner.

Report the number of public meetings attended by each county election commissioner **up to a maximum of ten (10) public meetings each**.

Calculate election commissioners' pay using the formula provided above.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "D" ALONG WITH THE SUMMARY SHEET

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COUNTY CLERK ABSENTEE SUPPLY COSTS

(to be provided by the county clerk's office)

ATTACHMENT "E1" (Page 1 of 1)

County: _____

EARLY VOTING BY THE COUNTY CLERK'S OFFICE WAS CONDUCTED USING:

a) _____ Number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)

b) _____ Number of ES&S M100 electronic vote tabulating devices at the early voting poll

ABSENTEE BALLOTS:

Number of absentee ballot application forms mailed: _____

Number of absentee ballots mailed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice Attached (see marking instructions below)	Inventory
Absentee Envelopes	_____	\$ _____	\$ _____	_____	_____
Absentee Postage	_____	\$ _____	\$ _____	_____	_____
Marking Devices	_____	\$ _____	\$ _____	_____	_____
Voter Statements	_____	\$ _____	\$ _____	_____	_____
Other (specify)	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____ (Line 5a)		

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

COUNTY CLERK CERTIFICATION:

I verify that the above supply expenses represent costs of the county clerk's office to conduct absentee voting applicable to only this state-funded election for which seeking reimbursement.

County Clerk Signature

Date

RETURN ATTACHMENT "E1" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED.

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COUNTY ELECTION COMMISSION SUPPLY COSTS

ATTACHMENT "E2" (Page 1 of 1)

County:

Item	Quantity	Per Unit Cost	Total Cost	Invoice Attached <small>(see marking instructions below)</small>	Inventory
Boxes:					
Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Stub	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Election Kits	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Envelopes:					
Abandoned Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Provisional Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Spoiled Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Equipment Keys	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Other (specify)	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Magnifiers	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Marking Devices:					
Manufacturer	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Pencils	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Pens	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Paper:					
Copier	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Pads	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
RTAL	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Thermal Printer	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Postage:					
Election Official Notice	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Polling Site Notice	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Scissors	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Seals	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
String (100')	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Tape	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Transport Supplies*	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Other (specify)	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
TOTAL			\$ (Line 5b)		

* Boxes, Envelopes, Containers, etc. to transport election materials to and from the polls

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "E2" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED.

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PROGRAMMING COSTS

ATTACHMENT "F" (Page 1 of 2)

County:

EARLY VOTING UNDER THE ELECTION COMMISSION WAS CONDUCTED USING:

- a) _____ Total number of voting machines at off-site early voting poll(s) - ES&S iVotronic Touch Screen, Harp ELECTronic 1242
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at off-site early voting poll(s)

VOTING ON ELECTION DAY WAS CONDUCTED USING:

- a) _____ Total number of voting machines at the election day polls (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at the election day poll(s)
- c) _____ Total number of ES&S M100 electronic vote tabulating devices at a central counting location
Total number of ES&S M650 electronic vote tabulating devices at a central counting location

VENDOR PROGRAMMING OF VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

SUBTOTAL Vendor Invoice Must be Attached \$

TECHNICAL SUPPORT

NAMES & VENDOR (if applicable)	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
SUBTOTAL	Vendor Invoice Must be Attached (MAXIMUM OF \$1,080)		\$

LABOR FOR TESTING VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

NAMES	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
SUBTOTAL	(MAXIMUM RATE OF \$25 HOURLY)		\$

LABOR FOR TRANSPORTATION OF EQUIPMENT (Delivery of voting machines & electronic vote tabulating devices to and from the polls)

NAMES	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
SUBTOTALS			\$			\$

TRUCK RENTAL (Delivery of voting machines & electronic vote tabulating device to and from the polls)

SUBTOTAL	Vendor Invoice Must be Attached	\$
-----------------	---------------------------------	----

GRAND TOTAL (sum of all programming subtotals from page 1 and above)\$
(Line 6)**INSTRUCTIONS:**

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "F" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL PROGRAMMING COSTS BEING CLAIMED.

BALLOT PRINTING COSTS

ATTACHMENT "G" (Page 1 of 1)

County: _____

Number of registered voters: _____

Number of absentee voters voting in the last preceding comparable election: _____

Total number of paper ballots printed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	
				(see marking instructions below)	
Code Stock	_____	\$ _____	\$ _____	_____	_____
Printing	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____		(Line 7)

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

For information on maximum ballot printing costs eligible for reimbursement by the State Board, see Item "G" under Sections 506 of the State Board of Election Commissioners' Rules for Reimbursement of Expenses for State-Funded Elections.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "G" ALONG WITH THE SUMMARY SHEET, INVOICES AND/OR SUPPORTING DOCUMENTATION FOR ALL BALLOT PRINTING COSTS BEING CLAIMED.

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LEGAL ADVERTISING COSTS

ATTACHMENT "H" For May Preferential Primary Elections (Page 1 of 1)

County:

REQUIRED NEWSPAPER PUBLICATIONS (see pages 48 and 49 of the CBEC Procedures Manual)

Public Notice of Ballot Position Drawing

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (First Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (Second Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Preparation Notice (of the time and place voting machines will be prepared)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Testing Notice (of the time and place of testing voting machines and electronic vote tabulating devices)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

GRAND TOTAL (sum of all the above subtotals)	\$ (Line 8)
---	-----------------------

INSTRUCTIONS:

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "H" ALONG WITH THE SUMMARY SHEET AND INVOICES FOR ALL LEGAL ADVERTISING COSTS BEING CLAIMED.

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FACILITY FEES

ATTACHMENT "I" (Page 1 of 1)

County:

Off-Site Early Voting:					
_____	x	_____	x	\$40	= \$ _____
# of Polls		# of Days			(Maximum of \$4,000)
Election Day:					
_____	x	1	x	\$40	= \$ _____
# of Polls		# of Days			
					\$
TOTAL					(Line 9)

INSTRUCTIONS:

DO NOT REPORT THE TOTAL NUMBER OF POLLS.

Report only those polls requesting payment from the county for its use as an election day or off-site early voting polling site.

For counties that combine multiple polling sites within a single facility, i.e., an auditorium, etc., each separate location within the single facility where voters identify themselves to poll workers for the purpose of casting a ballot would constitute a polling site.

A copy of each facility's invoice must be provided.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "I" AND INVOICES ALONG WITH THE SUMMARY SHEET

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**GUIDELINES FOR REIMBURSEMENT
OF
STATE-FUNDED EXPENSES
FOR
JUNE PRIMARY RUNOFF ELECTIONS**
(Effective November 7, 1995; Revised December 10, 2009)



STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834
(800) 411-6996
www.arkansas.gov/sbec

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ACTUAL EXPENSES SUMMARY
(For June Primary Runoff Elections)

County: _____

Election: _____

Name & Number of County Contact for Questions: _____

TOTAL NUMBER OF REGISTERED VOTERS _____

TOTAL NUMBER OF PRECINCTS _____

TOTAL NUMBER OF POLLING SITES (do not include absentee and early voting) _____

TOTAL NUMBER OF POLL WORKERS (do not include absentee and early voting) _____

1. POLL WORKERS PAY

a) Polling Sites on Election Day (Attachment "A")..... _____

b) Off-Site Early Voting Polling Sites (Attachment "B")..... _____

c) Training (Attachments "A" & "B" & "C")..... **N/A**

2. PART-TIME HELP PAY

a) Election Materials Delivery (Attachments "A" & "C")..... _____

b) County Clerk Extra Deputy (Attachment "C")..... _____

c) Absentee Ballot Processing (Attachment "C")..... _____

d) Central Vote Tabulation (Attachment "C")..... _____

3. MILEAGE EXPENSES (Attachments "A" & "B" & "C") _____

4. ELECTION COMMISSIONERS PAY (Attachment "D")..... _____

5. SUPPLY COSTS

a) County Clerk Expenses (Attachment "E1")..... _____

b) County Election Commission Expenses (Attachment "E2")..... _____

6. PROGRAMMING COSTS (Attachment "F") _____

7. BALLOT PRINTING COSTS (Attachment "G")..... _____

8. LEGAL ADVERTISING COSTS (Attachment "H")..... _____

9. FACILITY FEES (Attachment "I")..... _____

GRAND TOTAL..... _____

I verify that these actual expenses truthfully reflect expenses as approved by the county board of election commissioners for the above referenced election and that all figures are accurate and appropriate to the best of my knowledge.

Print & Sign Name: _____

County Election Commission Chair

Print & Sign Name: _____

County Election Commissioner

Print & Sign Name: _____

County Election Commissioner

ALL THREE ELECTION COMMISSIONERS MUST SIGN

RETURN BY _____ TO:

STATE BOARD OF ELECTION COMMISSIONERS

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 OR (800) 411-6996

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**POLL WORKERS PAY
INSTRUCTIONS
FOR
ATTACHMENT “A”
(For June Primary Runoff Elections)
(Page 1 of 4)**

Pages 2 through 4 of Attachment “A” contain tables for gathering information on poll worker pay, training pay, and mileage reimbursement. The tables are separated into sections that are referenced in the instructions below. As you review the instructions, please refer to the tables.

INSTRUCTIONS:

Provide the name of each poll worker under the name of the polling site at which they worked on election day.

In Section 1, record each poll worker’s pay, \$100 for a full day or \$50 for a split-shift. The \$100 is based on approximately 14 hours at the new federal minimum wage of \$7.25 per hour. Ignore the \$25 additional training pay since it only applies to May Preferential Primary Elections.

In Section 2, record the hours (or fraction of an hour) and calculate the additional wages earned by poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

If poll workers count ballots at the poll on election day immediately upon closing the poll, you may also claim any poll worker hours in excess of a 14 hour day (time worked past 8:30 p.m.).

In Section 3, record the number of miles traveled and calculate the mileage expense of poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

Carry the “TOTALS” at the bottom of Attachment “A” forward, as indicated, to the appropriate line on the “ACTUAL EXPENSES SUMMARY” sheet.

RETURN ATTACHMENT “A” ALONG WITH THE SUMMARY SHEET

**FOR ADDITIONAL INFORMATION SEE
THE STATE BOARD OF ELECTION COMMISSIONERS’
RULES FOR REIMBURSEMENT OF EXPENSES FOR STATE-FUNDED
ELECTIONS**

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ATTACHMENT "A" For June Primary Runoff Elections (Page 2 of 4)

County:[illegible]

ATTACHMENT "A" For June Primary Runoff Elections (Page 3 of 4)

County: _____

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ATTACHMENT "A" For June Primary Runoff Elections (Page 4 of 4)

County:

Names of Poll Workers by Polling Site Name	SECTION 1		SECTION 2			SECTION 3		
	POLL WORKERS PAY		PART-TIME HELP			MILEAGE		
	\$100 Full Day \$50.00 Half Day	TRAINING \$25	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
TOTALS	\$ (Line 1a)	N/A (Line 1c)			\$ (Line 2a)			\$ (Line 3)

RETURN ATTACHMENT "A" ALONG WITH THE SUMMARY SHEET

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OFF-SITE EARLY VOTING

ATTACHMENT "B" For June Primary Runoff Elections (Page 1 of 1)

County:

County:

INSTRUCTIONS:

Provide the name of each off-site early voting poll worker under the name of the off-site early voting polling site at which they worked during early voting.

Ignore Section 1 since the \$25 additional training pay applies only to May Preferential Primary Elections.

In Section 2, record the hours worked and calculate the wages earned by off-site early voting poll workers during the early voting period.

In Section 3, record the number of miles traveled and calculate the mileage expense of off-site early voting poll workers (ONLY) who transported ballots, materials, and returns to and from the off-site early voting poll during early voting.

Carry the “TOTALS” at the bottom of Attachment “B” forward, as indicated, to the appropriate line on the “ACTUAL EXPENSES SUMMARY” sheet.

Provide the name of each off-site early voting poll worker under the name of the off-site early voting polling site at which they worked during early voting.

In Section 2, record the hours worked and calculate the wages earned by off-site early voting poll workers during the early voting period.

Carry the "TOTALS" at the bottom of Attachment "B" forward, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

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PART-TIME HELP PAY

ATTACHMENT "C" For June Primary Runoff Elections (Page 1 of 2)

County:

EXTRA DEPUTY TO THE COUNTY CLERK	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
TOTAL			\$ (Line 2b)

INSTRUCTIONS:

Provide the name of the extra deputy to the county clerk for absentee and early voting. In counties with more than one (1) county seat, provide the name of the extra deputy for each county seat.

Record the hours worked and calculate the wages earned by the extra deputy for the absentee and early voting period up to a maximum of thirty-five (35) days.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

PERSONNEL DESIGNATED TO TRANSPORT BALLOTS AND ELECTION SUPPLIES	SECTION 1			SECTION 2		
	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
TOTALS			\$ (Line 2a)			\$ (Line 3)

INSTRUCTIONS:

Provide the names of all personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct. **DO NOT INCLUDE** poll workers here since their expenses were previously claimed on Attachment "A." **DO NOT REPORT** expenses for personnel designated to deliver voting machines and tabulators for their expenses are reported under Programming.

In Section 1, record the hours worked and calculate the wages earned by personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

In Section 2, record the number of miles traveled and calculate the mileage expense of personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION CLERKS PROCESSING ABSENTEE BALLOTS	SECTION 1	SECTION 2		
	TRAINING \$25	HOURS	RATE \$7.25	WAGES
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
TOTALS	N/A (Line 1c)			\$ (Line 2c)

INSTRUCTIONS:

Provide the name of each election clerk appointed by the county election commission who processed, canvassed, and counted absentee ballots.

Ignore Section 1 since the \$25 training pay applies only to May Preferential Primary Elections.

In Section 2, record the hours worked and calculate the wages earned by election clerks who processed, canvassed, and counted absentee ballots on election day.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION OFFICIALS DESIGNATED TO TABULATE VOTES AT A CENTRAL COUNTING LOCATION	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
TOTAL			\$ (Line 2d)

INSTRUCTIONS:

Provide the name of each election official appointed by the county election commission to tabulate votes at a central counting location.

Record the hours worked and calculate the wages earned by the election officials appointed by the county election commission to tabulate votes at a central counting location.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "C" ALONG WITH THE SUMMARY SHEET

ELECTION COMMISSIONERS PAY

ATTACHMENT "D" (Page 1 of 1)

County:

_____	_____	x \$100 = \$ _____
Name of Commission Chair	# meetings	
_____	_____	x \$100 = \$ _____
Name of Commissioner	# meetings	
_____	_____	x \$100 = \$ _____
Name of Commissioner	# meetings	

TOTAL	\$ _____	(Line 4)
--------------	----------	-----------------

INSTRUCTIONS:

Provide the name of each county election commissioner.

Report the number of public meetings attended by each county election commissioner **up to a maximum of ten (10) public meetings each**.

Calculate election commissioners' pay using the formula provided above.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "D" ALONG WITH THE SUMMARY SHEET

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COUNTY CLERK ABSENTEE SUPPLY COSTS

(to be provided by the county clerk's office)

ATTACHMENT "E1" (Page 1 of 1)

County: _____

EARLY VOTING BY THE COUNTY CLERK'S OFFICE WAS CONDUCTED USING:

- a) _____ Number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
b) _____ Number of ES&S M100 electronic vote tabulating devices at the early voting poll

ABSENTEE BALLOTS:

Number of absentee ballot application forms mailed: _____

Number of absentee ballots mailed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	
				(see marking instructions below)	
Absentee Envelopes	_____	\$ _____	\$ _____	_____	_____
Absentee Postage	_____	\$ _____	\$ _____	_____	_____
Marking Devices	_____	\$ _____	\$ _____	_____	_____
Voter Statements	_____	\$ _____	\$ _____	_____	_____
Other (specify)	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____ (Line 5a)		

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

COUNTY CLERK CERTIFICATION:

I verify that the above supply expenses represent costs of the county clerk's office to conduct absentee voting applicable to only this state-funded election for which seeking reimbursement.

County Clerk Signature

Date

RETURN ATTACHMENT "E1" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED.

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COUNTY ELECTION COMMISSION SUPPLY COSTS

ATTACHMENT "E2" (Page 1 of 1)

County: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice Attached (see marking instructions below)	Inventory
Boxes:					
Ballot	_____	\$ _____	\$ _____	_____	_____
Stub	_____	\$ _____	\$ _____	_____	_____
Election Kits	_____	\$ _____	\$ _____	_____	_____
Envelopes:					
Abandoned Ballot	_____	\$ _____	\$ _____	_____	_____
Provisional Ballot	_____	\$ _____	\$ _____	_____	_____
Spoiled Ballot	_____	\$ _____	\$ _____	_____	_____
Equipment Keys	_____	\$ _____	\$ _____	_____	_____
Other (specify)	_____	\$ _____	\$ _____	_____	_____
Magnifiers	_____	\$ _____	\$ _____	_____	_____
Marking Devices:					
Manufacturer	_____	\$ _____	\$ _____	_____	_____
Pencils	_____	\$ _____	\$ _____	_____	_____
Pens	_____	\$ _____	\$ _____	_____	_____
Paper:					
Copier	_____	\$ _____	\$ _____	_____	_____
Pads	_____	\$ _____	\$ _____	_____	_____
RTAL	_____	\$ _____	\$ _____	_____	_____
Thermal Printer	_____	\$ _____	\$ _____	_____	_____
Postage:					
Election Official Notice	_____	\$ _____	\$ _____	_____	_____
Polling Site Notice	_____	\$ _____	\$ _____	_____	_____
Scissors	_____	\$ _____	\$ _____	_____	_____
Seals	_____	\$ _____	\$ _____	_____	_____
String (100')	_____	\$ _____	\$ _____	_____	_____
Tape	_____	\$ _____	\$ _____	_____	_____
Transport Supplies*	_____	\$ _____	\$ _____	_____	_____
Other (specify)	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ (Line 5b)		

* Boxes, Envelopes, Containers, etc. to transport election materials to and from the polls

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "E2" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED. 189

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PROGRAMMING COSTS

ATTACHMENT "F" (Page 1 of 2)

County:

EARLY VOTING UNDER THE ELECTION COMMISSION WAS CONDUCTED USING:

- a) _____ Total number of voting machines at off-site early voting poll(s) - ES&S iVotronic Touch Screen, Harp ELECTronic 1242
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at off-site early voting poll(s)

VOTING ON ELECTION DAY WAS CONDUCTED USING:

- a) _____ Total number of voting machines at the election day polls (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at the election day poll(s)
- c) _____ Total number of ES&S M100 electronic vote tabulating devices at a central counting location
- d) _____ Total number of ES&S M650 electronic vote tabulating devices at a central counting location

VENDOR PROGRAMMING OF VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

SUBTOTAL Vendor Invoice Must be Attached \$

TECHNICAL SUPPORT

NAMES & VENDOR (if applicable)	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

SUBTOTAL Vendor Invoice Must be Attached (MAXIMUM OF \$1,080) \$

LABOR FOR TESTING VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

NAMES	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	

SUBTOTAL (MAXIMUM RATE OF \$25 HOURLY) \$

LABOR FOR TRANSPORTATION OF EQUIPMENT (Delivery of voting machines & electronic vote tabulating devices to and from the polls)

NAMES	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
SUBTOTALS			\$			\$

TRUCK RENTAL (Delivery of voting machines & electronic vote tabulating device to and from the polls)**SUBTOTAL** Vendor Invoice Must be Attached \$**GRAND TOTAL** (sum of all programming subtotals from page 1 and above)\$
(Line 6)

INSTRUCTIONS:

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "F" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL PROGRAMMING COSTS BEING CLAIMED.

BALLOT PRINTING COSTS

ATTACHMENT "G" (Page 1 of 1)

County: _____

Number of registered voters: _____

Number of absentee voters voting in the last preceding comparable election: _____

Total number of paper ballots printed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	
(see marking instructions below)					
Code Stock	_____	\$ _____	\$ _____	_____	_____
Printing	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____	(Line 7)	

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

For information on maximum ballot printing costs eligible for reimbursement by the State Board, see Item "G" under Sections 506 of the State Board of Election Commissioners' Rules for Reimbursement of Expenses for State-Funded Elections.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "G" ALONG WITH THE SUMMARY SHEET, INVOICES AND/OR SUPPORTING DOCUMENTATION FOR ALL BALLOT PRINTING COSTS BEING CLAIMED.

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LEGAL ADVERTISING COSTS

ATTACHMENT "H" For June Primary Runoff Elections (Page 1 of 1)

County:

REQUIRED NEWSPAPER PUBLICATIONS (see pages 48 and 49 of the CBEC Procedures Manual)

Public Notice of the Election (First Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (Second Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Preparation Notice (of the time and place voting machines will be prepared)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Testing Notice (of the time and place of testing voting machines and electronic vote tabulating devices)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

GRAND TOTAL (sum of all the above subtotals)	\$ (Line 8)
---	-----------------------

INSTRUCTIONS:

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "H" ALONG WITH THE SUMMARY SHEET AND INVOICES FOR ALL LEGAL ADVERTISING COSTS BEING CLAIMED.

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FACILITY FEES

ATTACHMENT "I" (Page 1 of 1)

County:

Off-Site Early Voting:						
_____	x	_____	x	\$40	=	\$ _____
# of Polls		# of Days				(Maximum of \$4,000)
Election Day:						
_____	x	1	x	\$40	=	\$ _____
# of Polls		# of Days				
						\$
TOTAL						(Line 9)

INSTRUCTIONS:

DO NOT REPORT THE TOTAL NUMBER OF POLLS.

Report only those polls requesting payment from the county for its use as an election day or off-site early voting polling site.

For counties that combine multiple polling sites within a single facility, i.e., an auditorium, etc., each separate location within the single facility where voters identify themselves to poll workers for the purpose of casting a ballot would constitute a polling site.

A copy of each facility's invoice must be provided.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "I" AND INVOICES ALONG WITH THE SUMMARY SHEET

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**GUIDELINES FOR REIMBURSEMENT
OF
STATE-FUNDED EXPENSES
FOR
STATEWIDE SPECIAL ELECTIONS**
(Effective November 7, 1995; Revised December 10, 2009)



STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834
(800) 411-6996
www.arkansas.gov/sbec

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ACTUAL EXPENSES SUMMARY
(For Statewide Special Elections)

County: _____

Election: _____

Name & Number of County Contact for Questions: _____

TOTAL NUMBER OF REGISTERED VOTERS _____

TOTAL NUMBER OF PRECINCTS _____

TOTAL NUMBER OF POLLING SITES (do not include absentee and early voting) _____

TOTAL NUMBER OF POLL WORKERS (do not include absentee and early voting) _____

1. POLL WORKERS PAY

a) Polling Sites on Election Day (Attachment "A")..... _____

b) Off-Site Early Voting Polling Sites (Attachment "B")..... _____

c) Training (Attachments "A" & "B" & "C")..... **N/A**

2. PART-TIME HELP PAY

a) Election Materials Delivery (Attachments "A" & "C")..... _____

b) County Clerk Extra Deputy (Attachment "C")..... _____

c) Absentee Ballot Processing (Attachment "C")..... _____

d) Central Vote Tabulation (Attachment "C")..... _____

3. MILEAGE EXPENSES (Attachments "A" & "B" & "C") _____

4. ELECTION COMMISSIONERS PAY (Attachment "D")..... _____

5. SUPPLY COSTS

a) County Clerk Expenses (Attachment "E1")..... _____

b) County Election Commission Expenses (Attachment "E2")..... _____

6. PROGRAMMING COSTS (Attachment "F") _____

7. BALLOT PRINTING COSTS (Attachment "G")..... _____

8. LEGAL ADVERTISING COSTS (Attachment "H")..... _____

9. FACILITY FEES (Attachment "I")..... _____

GRAND TOTAL..... _____

I verify that these actual expenses truthfully reflect expenses as approved by the county board of election commissioners for the above referenced election and that all figures are accurate and appropriate to the best of my knowledge.

Print & Sign Name: _____

County Election Commission Chair

Print & Sign Name: _____

County Election Commissioner

Print & Sign Name: _____

County Election Commissioner

ALL THREE ELECTION COMMISSIONERS MUST SIGN

RETURN BY _____ TO:

STATE BOARD OF ELECTION COMMISSIONERS

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 OR (800) 411-6996

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**POLL WORKERS PAY
INSTRUCTIONS
FOR
ATTACHMENT “A”
(For Statewide Special Elections)
(Page 1 of 4)**

Pages 2 through 4 of Attachment “A” contain tables for gathering information on poll worker pay, training pay, and mileage reimbursement. The tables are separated into sections that are referenced in the instructions below. As you review the instructions, please refer to the tables.

INSTRUCTIONS:

Provide the name of each poll worker under the name of the polling site at which they worked on election day.

In Section 1, record each poll worker’s pay, \$100 for a full day or \$50 for a split-shift. The \$100 is based on approximately 14 hours at the new federal minimum wage of \$7.25 per hour. Ignore the \$25 additional training pay since it only applies to May Preferential Primary Elections.

In Section 2, record the hours (or fraction of an hour) and calculate the additional wages earned by poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

If poll workers count ballots at the poll on election day immediately upon closing the poll, you may also claim any poll worker hours in excess of a 14 hour day (time worked past 8:30 p.m.).

In Section 3, record the number of miles traveled and calculate the mileage expense of poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

Carry the “TOTALS” at the bottom of Attachment “A” forward, as indicated, to the appropriate line on the “ACTUAL EXPENSES SUMMARY” sheet.

RETURN ATTACHMENT “A” ALONG WITH THE SUMMARY SHEET

**FOR ADDITIONAL INFORMATION SEE
THE STATE BOARD OF ELECTION COMMISSIONERS’
RULES FOR REIMBURSEMENT OF EXPENSES FOR STATE-FUNDED
ELECTIONS**

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RETURN ATTACHMENT "A" ALONG WITH THE SUMMARY SHEET

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OFF-SITE EARLY VOTING

ATTACHMENT "B" For Statewide Special Elections (Page 1 of 1)

County:

Names of Off-Site Early Voting Poll Workers by Polling Site Name	SECTION 1	SECTION 2			SECTION 3		
	TRAINING \$25	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
	N/A		7.25			0.42	
TOTALS	N/A (Line 1c)			\$ (Line 1b)			\$ (Line 3)

INSTRUCTIONS:

Provide the name of each off-site early voting poll worker under the name of the off-site early voting polling site at which they worked during early voting.

Ignore Section 1 since the \$25 additional training pay applies only to May Preferential Primary Elections.

In Section 2, record the hours worked and calculate the wages earned by off-site early voting poll workers during the early voting period.

In Section 3, record the number of miles traveled and calculate the mileage expense of off-site early voting poll workers (ONLY) who transported ballots, materials, and returns to and from the off-site early voting poll during early voting.

Carry the “TOTALS” at the bottom of Attachment “B” forward, as indicated, to the appropriate line on the “ACTUAL EXPENSES SUMMARY” sheet.

RETURN ATTACHMENT “B” ALONG WITH THE SUMMARY SHEET

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PART-TIME HELP PAY

ATTACHMENT "C" For Statewide Special Elections (Page 1 of 2)

County:

EXTRA DEPUTY TO THE COUNTY CLERK	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
TOTAL			\$ (Line 2b)

INSTRUCTIONS:

Provide the name of the extra deputy to the county clerk for absentee and early voting. In counties with more than one (1) county seat, provide the name of the extra deputy for each county seat.

Record the hours worked and calculate the wages earned by the extra deputy for the absentee and early voting period up to a maximum of thirty-five (35) days.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

PERSONNEL DESIGNATED TO TRANSPORT BALLOTS AND ELECTION SUPPLIES	SECTION 1			SECTION 2		
	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
TOTALS			\$ (Line 2a)			\$ (Line 3)

INSTRUCTIONS:

Provide the names of all personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct. **DO NOT INCLUDE** poll workers here since their expenses were previously claimed on Attachment "A." **DO NOT REPORT** expenses for personnel designated to deliver voting machines and tabulators for their expenses are reported under Programming.

In Section 1, record the hours worked and calculate the wages earned by personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

In Section 2, record the number of miles traveled and calculate the mileage expense of personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION CLERKS PROCESSING ABSENTEE BALLOTS	SECTION 1	SECTION 2		
	TRAINING \$25	HOURS	RATE \$7.25	WAGES
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
TOTALS	N/A (Line 1c)		\$	(Line 2c)

INSTRUCTIONS:

Provide the name of each election clerk appointed by the county election commission who processed, canvassed, and counted absentee ballots.

Ignore Section 1 since the \$25 training pay applies only to May Preferential Primary Elections.

In Section 2, record the hours worked and calculate the wages earned by election clerks who processed, canvassed, and counted absentee ballots on election day.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION OFFICIALS DESIGNATED TO TABULATE VOTES AT A CENTRAL COUNTING LOCATION	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
TOTAL		\$	(Line 2d)

INSTRUCTIONS:

Provide the name of each election official appointed by the county election commission to tabulate votes at a central counting location.

Record the hours worked and calculate the wages earned by the election officials appointed by the county election commission to tabulate votes at a central counting location.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "C" ALONG WITH THE SUMMARY SHEET

ELECTION COMMISSIONERS PAY

ATTACHMENT "D" (Page 1 of 1)

County:

Name of Commission Chair

meetings

x \$100 = \$ _____

Name of Commissioner

meetings

x \$100 = \$ _____

Name of Commissioner

meetings

x \$100 = \$ _____

TOTAL	\$ _____ (Line 4)
--------------	-----------------------------

INSTRUCTIONS:

Provide the name of each county election commissioner.

Report the number of public meetings attended by each county election commissioner **up to a maximum of ten (10) public meetings each**.

Calculate election commissioners' pay using the formula provided above.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "D" ALONG WITH THE SUMMARY SHEET

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COUNTY CLERK ABSENTEE SUPPLY COSTS

(to be provided by the county clerk's office)

ATTACHMENT "E1" (Page 1 of 1)

County: _____

EARLY VOTING BY THE COUNTY CLERK'S OFFICE WAS CONDUCTED USING:

- a) _____ Number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
b) _____ Number of ES&S M100 electronic vote tabulating devices at the early voting poll

ABSENTEE BALLOTS:

Number of absentee ballot application forms mailed: _____

Number of absentee ballots mailed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice Attached	Inventory
				(see marking instructions below)	
Absentee Envelopes	_____	\$ _____	\$ _____	_____	_____
Absentee Postage	_____	\$ _____	\$ _____	_____	_____
Marking Devices	_____	\$ _____	\$ _____	_____	_____
Voter Statements	_____	\$ _____	\$ _____	_____	_____
Other (specify)	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____ (Line 5a)		

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

COUNTY CLERK CERTIFICATION:

I verify that the above supply expenses represent costs of the county clerk's office to conduct absentee voting applicable to only this state-funded election for which seeking reimbursement.

County Clerk Signature

Date

RETURN ATTACHMENT "E1" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED.

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COUNTY ELECTION COMMISSION SUPPLY COSTS

ATTACHMENT "E2" (Page 1 of 1)

County:

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	
(see marking instructions below)					
Boxes:					
Ballot		\$	\$		
Stub		\$	\$		
Election Kits		\$	\$		
Envelopes:					
Abandoned Ballot		\$	\$		
Provisional Ballot		\$	\$		
Spoiled Ballot		\$	\$		
Equipment Keys		\$	\$		
Other (specify)		\$	\$		
Magnifiers		\$	\$		
Marking Devices:					
Manufacturer		\$	\$		
Pencils		\$	\$		
Pens		\$	\$		
Paper:					
Copier		\$	\$		
Pads		\$	\$		
RTAL		\$	\$		
Thermal Printer		\$	\$		
Postage:					
Election Official Notice		\$	\$		
Polling Site Notice		\$	\$		
Scissors		\$	\$		
Seals		\$	\$		
String (100')		\$	\$		
Tape		\$	\$		
Transport Supplies*		\$	\$		
Other (specify)		\$	\$		

			\$
TOTAL			(Line 5b)

* Boxes, Envelopes, Containers, etc. to transport election materials to and from the polls

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "E2" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED.

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PROGRAMMING COSTS

ATTACHMENT "F" (Page 1 of 2)

County:

EARLY VOTING UNDER THE ELECTION COMMISSION WAS CONDUCTED USING:

- a) _____ Total number of voting machines at off-site early voting poll(s) - ES&S iVotronic Touch Screen, Harp ELECTronic 1242
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at off-site early voting poll(s)

VOTING ON ELECTION DAY WAS CONDUCTED USING:

- a) _____ Total number of voting machines at the election day polls (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at the election day poll(s)
- c) _____ Total number of ES&S M100 electronic vote tabulating devices at a central counting location
- d) _____ Total number of ES&S M650 electronic vote tabulating devices at a central counting location

VENDOR PROGRAMMING OF VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

SUBTOTAL Vendor Invoice Must be Attached \$

TECHNICAL SUPPORT

NAMES & VENDOR (if applicable)	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
SUBTOTAL	Vendor Invoice Must be Attached (MAXIMUM OF \$1,080)		\$

LABOR FOR TESTING VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

NAMES	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
SUBTOTAL	(MAXIMUM RATE OF \$25 HOURLY)		\$

LABOR FOR TRANSPORTATION OF EQUIPMENT (Delivery of voting machines & electronic vote tabulating devices to and from the polls)

NAMES	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
SUBTOTALS			\$			\$

TRUCK RENTAL (Delivery of voting machines & electronic vote tabulating device to and from the polls)

SUBTOTAL	Vendor Invoice Must be Attached	\$
-----------------	---------------------------------	----

GRAND TOTAL (sum of all programming subtotals from page 1 and above)\$
(Line 6)**INSTRUCTIONS:**

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "F" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL PROGRAMMING COSTS BEING CLAIMED.

BALLOT PRINTING COSTS

ATTACHMENT "G" (Page 1 of 1)

County:

Number of registered voters: _____

Number of absentee voters voting in the last preceding comparable election: _____

Total number of paper ballots printed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	(see marking instructions below)
Code Stock	_____	\$ _____	\$ _____	_____	_____
Printing	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____	(Line 7)	

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

For information on maximum ballot printing costs eligible for reimbursement by the State Board, see Item "G" under Sections 506 of the State Board of Election Commissioners' Rules for Reimbursement of Expenses for State-Funded Elections.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "G" ALONG WITH THE SUMMARY SHEET, INVOICES AND/OR SUPPORTING DOCUMENTATION FOR ALL BALLOT PRINTING COSTS BEING CLAIMED.

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LEGAL ADVERTISING COSTS

ATTACHMENT "H" For Statewide Special Elections (Page 1 of 1)

County:

REQUIRED NEWSPAPER PUBLICATIONS (see pages 28, 48, & 49 of the CBEC Procedures Manual)

Publication of Calling Document

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (First Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (Second Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Preparation Notice (of the time and place voting machines will be prepared)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Testing Notice (of the time and place of testing voting machines and electronic vote tabulating devices)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

GRAND TOTAL (sum of all the above subtotals)	\$ (Line 8)
---	--------------------

INSTRUCTIONS:

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "H" ALONG WITH THE SUMMARY SHEET AND INVOICES FOR ALL LEGAL ADVERTISING COSTS BEING CLAIMED.

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FACILITY FEES

ATTACHMENT "I" (Page 1 of 1)

County:

Off-Site Early Voting:						
_____	x	_____	x	\$40	=	\$ _____
# of Polls		# of Days				(Maximum of \$4,000)
Election Day:						
_____	x	1	x	\$40	=	\$ _____
# of Polls		# of Days				
						\$ _____
TOTAL						(Line 9)

INSTRUCTIONS:

DO NOT REPORT THE TOTAL NUMBER OF POLLS.

Report only those polls requesting payment from the county for its use as an election day or off-site early voting polling site.

For counties that combine multiple polling sites within a single facility, i.e., an auditorium, etc., each separate location within the single facility where voters identify themselves to poll workers for the purpose of casting a ballot would constitute a polling site.

A copy of each facility's invoice must be provided.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "I" AND INVOICES ALONG WITH THE SUMMARY SHEET

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**GUIDELINES FOR REIMBURSEMENT
OF
STATE-FUNDED EXPENSES
FOR
SPECIAL PRIMARY ELECTIONS**
(Effective November 7, 1995; Revised December 10, 2009)



STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834
(800) 411-6996
www.arkansas.gov/sbec

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ACTUAL EXPENSES SUMMARY
(For Special Primary Elections)

County: _____

Election: _____

Name & Number of County Contact for Questions: _____

TOTAL NUMBER OF REGISTERED VOTERS _____

TOTAL NUMBER OF PRECINCTS _____

TOTAL NUMBER OF POLLING SITES (do not include absentee and early voting) _____

TOTAL NUMBER OF POLL WORKERS (do not include absentee and early voting) _____

1. POLL WORKERS PAY

a) Polling Sites on Election Day (Attachment "A")..... _____

b) Off-Site Early Voting Polling Sites (Attachment "B")..... _____

c) Training (Attachments "A" & "B" & "C")..... **N/A**

2. PART-TIME HELP PAY

a) Election Materials Delivery (Attachments "A" & "C")..... _____

b) County Clerk Extra Deputy (Attachment "C")..... _____

c) Absentee Ballot Processing (Attachment "C")..... _____

d) Central Vote Tabulation (Attachment "C")..... _____

3. MILEAGE EXPENSES (Attachments "A" & "B" & "C") _____

4. ELECTION COMMISSIONERS PAY (Attachment "D")..... _____

5. SUPPLY COSTS

a) County Clerk Expenses (Attachment "E1")..... _____

b) County Election Commission Expenses (Attachment "E2")..... _____

6. PROGRAMMING COSTS (Attachment "F") _____

7. BALLOT PRINTING COSTS (Attachment "G")..... _____

8. LEGAL ADVERTISING COSTS (Attachment "H")..... _____

9. FACILITY FEES (Attachment "I")..... _____

GRAND TOTAL..... _____

I verify that these actual expenses truthfully reflect expenses as approved by the county board of election commissioners for the above referenced election and that all figures are accurate and appropriate to the best of my knowledge.

Print & Sign Name: _____

County Election Commission Chair

Print & Sign Name: _____

County Election Commissioner

Print & Sign Name: _____

County Election Commissioner

ALL THREE ELECTION COMMISSIONERS MUST SIGN

RETURN BY _____ TO:

STATE BOARD OF ELECTION COMMISSIONERS

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 OR (800) 411-6996

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**POLL WORKERS PAY
INSTRUCTIONS
FOR
ATTACHMENT “A”
(For Special Primary Elections)
(Page 1 of 4)**

Pages 2 through 4 of Attachment “A” contain tables for gathering information on poll worker pay, training pay, and mileage reimbursement. The tables are separated into sections that are referenced in the instructions below. As you review the instructions, please refer to the tables.

INSTRUCTIONS:

Provide the name of each poll worker under the name of the polling site at which they worked on election day.

In Section 1, record each poll worker’s pay, \$100 for a full day or \$50 for a split-shift. The \$100 is based on approximately 14 hours at the new federal minimum wage of \$7.25 per hour. Ignore the \$25 additional training pay since it only applies to May Preferential Primary Elections.

In Section 2, record the hours (or fraction of an hour) and calculate the additional wages earned by poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

If poll workers count ballots at the poll on election day immediately upon closing the poll, you may also claim any poll worker hours in excess of a 14 hour day (time worked past 8:30 p.m.).

In Section 3, record the number of miles traveled and calculate the mileage expense of poll workers (ONLY) who transported ballots, materials, and returns to and from the poll on election day.

Carry the “TOTALS” at the bottom of Attachment “A” forward, as indicated, to the appropriate line on the “ACTUAL EXPENSES SUMMARY” sheet.

RETURN ATTACHMENT “A” ALONG WITH THE SUMMARY SHEET

**FOR ADDITIONAL INFORMATION SEE
THE STATE BOARD OF ELECTION COMMISSIONERS’
RULES FOR REIMBURSEMENT OF EXPENSES FOR STATE-FUNDED
ELECTIONS**

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ATTACHMENT "A" For Special Primary Elections (Page 2 of 4)

County:

[illegible]

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ATTACHMENT “A” For Special Primary Elections (Page 4 of 4)

County:

Names of Poll Workers by Polling Site Name	SECTION 1		SECTION 2			SECTION 3		
	POLL WORKERS PAY		PART-TIME HELP			MILEAGE		
	\$100 Full Day \$50.00 Half Day	TRAINING \$25	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
		N/A		7.25			0.42	
TOTALS	\$ (Line 1a)	N/A (Line 1c)			\$ (Line 2a)			\$ (Line 3)

RETURN ATTACHMENT "A" ALONG WITH THE SUMMARY SHEET

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PART-TIME HELP PAY

ATTACHMENT "C" For Special Primary Elections (Page 1 of 2)

County: _____

EXTRA DEPUTY TO THE COUNTY CLERK	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
TOTAL			\$ (Line 2b)

INSTRUCTIONS:

Provide the name of the extra deputy to the county clerk for absentee and early voting. In counties with more than one (1) county seat, provide the name of the extra deputy for each county seat.

Record the hours worked and calculate the wages earned by the extra deputy for the absentee and early voting period up to a maximum of thirty-five (35) days.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

PERSONNEL DESIGNATED TO TRANSPORT BALLOTS AND ELECTION SUPPLIES	SECTION 1			SECTION 2		
	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
TOTALS			\$ (Line 2a)			\$ (Line 3)

INSTRUCTIONS:

Provide the names of all personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct. **DO NOT INCLUDE** poll workers here since their expenses were previously claimed on Attachment "A." **DO NOT REPORT** expenses for personnel designated to deliver voting machines and tabulators for their expenses are reported under Programming.

In Section 1, record the hours worked and calculate the wages earned by personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

In Section 2, record the number of miles traveled and calculate the mileage expense of personnel designated by the county election commission to deliver ballots and election supplies to each set of poll workers in each precinct.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION CLERKS PROCESSING ABSENTEE BALLOTS	SECTION 1	SECTION 2		
	TRAINING \$25	HOURS	RATE \$7.25	WAGES
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
	N/A		7.25	
TOTALS	N/A (Line 1c)			\$ (Line 2c)

INSTRUCTIONS:

Provide the name of each election clerk appointed by the county election commission who processed, canvassed, and counted absentee ballots.

Ignore Section 1 since the \$25 training pay applies only to May Preferential Primary Elections.

In Section 2, record the hours worked and calculate the wages earned by election clerks who processed, canvassed, and counted absentee ballots on election day.

Carry forward the "TOTALS" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

ELECTION OFFICIALS DESIGNATED TO TABULATE VOTES AT A CENTRAL COUNTING LOCATION	HOURS	RATE \$7.25	WAGES
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
		7.25	
TOTAL			\$ (Line 2d)

INSTRUCTIONS:

Provide the name of each election official appointed by the county election commission to tabulate votes at a central counting location.

Record the hours worked and calculate the wages earned by the election officials appointed by the county election commission to tabulate votes at a central counting location.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "C" ALONG WITH THE SUMMARY SHEET

ELECTION COMMISSIONERS PAY

ATTACHMENT "D" (Page 1 of 1)

County:

_____	_____	x	\$100	=	\$	_____
Name of Commission Chair	# meetings					
_____	_____	x	\$100	=	\$	_____
Name of Commissioner	# meetings					
_____	_____	x	\$100	=	\$	_____
Name of Commissioner	# meetings					

TOTAL	\$	(Line 4)
--------------	----	-----------------

INSTRUCTIONS:

Provide the name of each county election commissioner.

Report the number of public meetings attended by each county election commissioner **up to a maximum of ten (10) public meetings each**.

Calculate election commissioners' pay using the formula provided above.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "D" ALONG WITH THE SUMMARY SHEET

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COUNTY CLERK ABSENTEE SUPPLY COSTS

(to be provided by the county clerk's office)

ATTACHMENT "E1" (Page 1 of 1)

County: _____

EARLY VOTING BY THE COUNTY CLERK'S OFFICE WAS CONDUCTED USING:

- a) _____ Number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
b) _____ Number of ES&S M100 electronic vote tabulating devices at the early voting poll

ABSENTEE BALLOTS:

Number of absentee ballot application forms mailed: _____

Number of absentee ballots mailed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	
(see marking instructions below)					
Absentee Envelopes		\$	\$		
Absentee Postage		\$	\$		
Marking Devices		\$	\$		
Voter Statements		\$	\$		
Other (specify)		\$	\$		
			\$		
TOTAL			(Line 5a)		

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

COUNTY CLERK CERTIFICATION:

I verify that the above supply expenses represent costs of the county clerk's office to conduct absentee voting applicable to only this state-funded election for which seeking reimbursement.

County Clerk Signature

Date

RETURN ATTACHMENT "E1" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED.

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COUNTY ELECTION COMMISSION SUPPLY COSTS

ATTACHMENT "E2" (Page 1 of 1)

County:

**Invoice
Attached Inventory**
(see marking instructions below)

Item	Quantity	Per Unit Cost	Total Cost		
Boxes:					
Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Stub	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Election Kits	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Envelopes:					
Abandoned Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Provisional Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Spoiled Ballot	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Equipment Keys	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Other (specify)	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Magnifiers	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Marking Devices:					
Manufacturer	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Pencils	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Pens	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Paper:					
Copier	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Pads	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
RTAL	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Thermal Printer	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Postage:					
Election Official Notice	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Polling Site Notice	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Scissors	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Seals	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
String (100')	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Tape	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Transport Supplies*	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>
Other (specify)	<input type="text"/>	\$ <input type="text"/>	\$ <input type="text"/>	<input type="text"/>	<input type="text"/>

TOTAL	\$ (Line 5b)
--------------	---

* Boxes, Envelopes, Containers, etc. to transport election materials to and from the polls

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "E2" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL SUPPLY ITEMS BEING CLAIMED. 223

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PROGRAMMING COSTS

ATTACHMENT "F" (Page 1 of 2)

County:

EARLY VOTING UNDER THE ELECTION COMMISSION WAS CONDUCTED USING:

- a) _____ Total number of voting machines at off-site early voting poll(s) - ES&S iVotronic Touch Screen, Harp ELECTronic 1242
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at off-site early voting poll(s)

VOTING ON ELECTION DAY WAS CONDUCTED USING:

- a) _____ Total number of voting machines at the election day polls (ES&S iVotronic Touch Screen, Harp ELECTronic 1242)
- b) _____ Total number of ES&S M100 electronic vote tabulating devices at the election day poll(s)
- c) _____ Total number of ES&S M100 electronic vote tabulating devices at a central counting location
- d) _____ Total number of ES&S M650 electronic vote tabulating devices at a central counting location

VENDOR PROGRAMMING OF VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

SUBTOTAL Vendor Invoice Must be Attached \$

TECHNICAL SUPPORT

NAMES & VENDOR (if applicable)	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
SUBTOTAL	Vendor Invoice Must be Attached (MAXIMUM OF \$1,080)		\$

LABOR FOR TESTING VOTING MACHINES & ELECTRONIC VOTE TABULATING DEVICES

NAMES	HOURS	RATE	WAGES
		\$	
		\$	
		\$	
		\$	
		\$	
		\$	
SUBTOTAL	(MAXIMUM RATE OF \$25 HOURLY)		\$

County:

LABOR FOR TRANSPORTATION OF EQUIPMENT (Delivery of voting machines & electronic vote tabulating devices to and from the polls)

NAMES	HOURS	RATE \$7.25	WAGES	TOTAL MILES	RATE \$.42	MILEAGE EXPENSE
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
		7.25			0.42	
SUBTOTALS			\$			\$

TRUCK RENTAL (Delivery of voting machines & electronic vote tabulating device to and from the polls)

SUBTOTAL	Vendor Invoice Must be Attached	\$
-----------------	---------------------------------	----

GRAND TOTAL (sum of all programming subtotals from page 1 and above)

\$
(Line 6)

INSTRUCTIONS:

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "F" ALONG WITH THE SUMMARY SHEET, INVOICES, RECEIPTS, AND/OR SUPPORTING DOCUMENTATION FOR ALL PROGRAMMING COSTS BEING CLAIMED.

BALLOT PRINTING COSTS

ATTACHMENT "G" (Page 1 of 1)

County: _____

Number of registered voters: _____

Number of absentee voters voting in the last preceding comparable election: _____

Total number of paper ballots printed: _____

Item	Quantity	Per Unit Cost	Total Cost	Invoice	Inventory
				Attached	(see marking instructions below)
Code Stock	_____	\$ _____	\$ _____	_____	_____
Printing	_____	\$ _____	\$ _____	_____	_____
TOTAL			\$ _____	(Line 7)	

INSTRUCTIONS:

Place a checkmark "✓" by each item being claimed to indicate that either an invoice is attached or the item is from an inventory of supplies previously purchased in bulk.

Claim only quantities applicable to this state-funded election for which seeking reimbursement.

For information on maximum ballot printing costs eligible for reimbursement by the State Board, see Item "G" under Sections 506 of the State Board of Election Commissioners' Rules for Reimbursement of Expenses for State-Funded Elections.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "G" ALONG WITH THE SUMMARY SHEET, INVOICES AND/OR SUPPORTING DOCUMENTATION FOR ALL BALLOT PRINTING COSTS BEING CLAIMED.

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LEGAL ADVERTISING COSTS

ATTACHMENT "H" For Special Primary Elections (Page 1 of 1)

County:

REQUIRED NEWSPAPER PUBLICATIONS (see pages 28, 48, & 49 of the CBEC Procedures Manual)

Publication of Calling Document

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of Ballot Position Drawing

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (First Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Public Notice of the Election (Second Publication)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Preparation Notice (of the time and place voting machines will be prepared)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

Equipment Testing Notice (of the time and place of testing voting machines and electronic vote tabulating devices)

Name of Newspaper	Cost
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
Vendor Invoice Must be Attached	\$
SUBTOTAL	\$

GRAND TOTAL (sum of all the above subtotals)	\$ (Line 8)
---	--------------------

INSTRUCTIONS:

Carry forward the "GRAND TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "H" ALONG WITH THE SUMMARY SHEET AND INVOICES FOR ALL LEGAL ADVERTISING COSTS BEING CLAIMED.

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FACILITY FEES

ATTACHMENT "I" (Page 1 of 1)

County:

Off-Site Early Voting:						
# of Polls	x	# of Days	x	\$40	=	\$ (Maximum of \$4,000)
Election Day:						
# of Polls	x	1	x	\$40	=	\$
						\$
TOTAL						(Line 9)

INSTRUCTIONS:

DO NOT REPORT THE TOTAL NUMBER OF POLLS.

Report only those polls requesting payment from the county for its use as an election day or off-site early voting polling site.

For counties that combine multiple polling sites within a single facility, i.e., an auditorium, etc., each separate location within the single facility where voters identify themselves to poll workers for the purpose of casting a ballot would constitute a polling site.

A copy of each facility's invoice must be provided.

Carry forward the "TOTAL" above, as indicated, to the appropriate line on the "ACTUAL EXPENSES SUMMARY" sheet.

RETURN ATTACHMENT "I" AND INVOICES ALONG WITH THE SUMMARY SHEET

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**GUIDELINES
FOR
BALLOT
NAME CERTIFICATION**

(Effective March 31, 2000; Revised December 10, 2009)



**STATE BOARD OF ELECTION COMMISSIONERS
501 Woodlane, Suite 401N
Little Rock, Arkansas 72201
(501) 682-1834 or (800) 411-6996
www.arkansas.gov/sbec**

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GUIDELINES FOR BALLOT NAME CERTIFICATION

The following guidelines have been developed by the office of the State Board of Election Commissioners in conjunction with the Secretary of State's office to assist candidates in completing the political practices pledge form and for the purpose of certifying the names and titles proposed to be used by candidates filing for office.

Any federal, state, or district candidate with questions may contact the Secretary of State's office at 501-682-5070 or 800-482-1127. Any county, township, school, and municipal candidate with questions should contact their local county board of election commissioners.

Arkansas Code Annotated § 7-7-305. Printing of ballots - Form.

(c)(1)(A) "Any person who shall file for any elective office in this state may use not more than three (3) given names, one (1) of which may be a nickname or any other word used for the purpose of identifying the person to the voters, and may add as a prefix to his or her name the title or an abbreviation of an elective public office the person currently holds.

(B) A person may only use as the prefix the title of a judicial office in an election for a judgeship if the person is currently serving in a judicial position to which the person has been elected.

(C) A nickname shall not include a professional or honorary title.

(2) The names and titles as proposed to be used by each candidate on the political practice pledge or, if the political practice pledge is not filed by the filing deadline, then the names and titles that appear on the party certificate shall be reviewed no later than one (1) business day after the filing deadline by the Secretary of State for state and district offices and by the county board of election commissioners for county, township, school, and municipal offices.

(3)(A) The name of every candidate shall be printed on the ballot in the form as certified by either the Secretary of State or the county board.

(B) However, the county board of election commissioners may substitute an abbreviated title if the ballot lacks space for the title requested by a candidate.

(C) The county board of election commissioners shall immediately notify a candidate whose requested title is abbreviated by the county board of election commissioners.

(4) A candidate shall not be permitted to change the form in which his or her name will be printed on the ballot after the deadline for filing the political practices pledge."

Definition of "name" as referenced in Black's Law Dictionary:

"The designation of an individual person, or of a firm or corporation. A person's 'name' consists of one or more Christian or given names and one surname or family name. It is the distinctive characterization in words by which one is known and distinguished from others, and description, or abbreviation, is not the equivalent of a 'name'."

For the purpose of certifying the names and titles proposed to be used by each candidate, a candidate is permitted to use:

- **A maximum of three (3) "given" names**
 - 1) One name may be a nickname, but not a professional or honorary title
 - 2) A "middle" name shall be considered a "given" name
- **Initials**

Initials are not considered "given" names and, therefore, **not** counted in the maximum of three (3) "given" names
- **Surname or Last name**

Surnames or last names are not considered "given" names and, therefore, **not** counted in the maximum of three (3) "given" names
- **A Suffix**

Suffixes (Jr., Sr., I, II, III) are not considered "given" names and, therefore, **not** counted in the maximum of three (3) "given" names
- **A Prefix**
 - Nonjudicial**

The title or an abbreviation of the title of an elective public office **currently held**

 - 1) State Senator, State Sen., Senator, Sen., State Representative, State Rep., Representative, Rep., Prosecuting Attorney
 - 2) **If running for U.S. Senate or U.S. Congress**, the title of the elective public office currently held must be specific, i.e., United States Senator, United States Sen., U.S. Senator, U.S. Sen., United States Representative, United States Rep., U.S. Representative, U.S. Rep., State Senator, State Sen., State Representative, State Rep., Congressman
 - Judicial**

The title or an abbreviation of the title of the judicial position **currently held to which elected**

 - 1) Judge, Justice, Chief Justice

For the purpose of certifying the names and titles proposed to be used by each candidate, a candidate is not permitted to use:

- **Professional or honorary titles**

Professional or honorary titles (Ph.D., CPA, MD., Doctor, Dr., Reverend, Rev., Chief of Police, General, Lieutenant, Sergeant) are **not** acceptable

The Secretary of State's office must review the names and titles proposed to be used by each federal, state, or district candidate, and the county election commissions must review the names and titles proposed to be used by each county, township, school, and municipal candidate for compliance with the statutory requirements of Arkansas Code Annotated § 7-7-305.

GUIDELINES FOR BALLOT NAME CERTIFICATION

For those candidates whose proposed name and title do **not** comply with Arkansas Code Annotated § 7-7-305, the candidate should be contacted and offered the option to appear in person to file a revised political practices pledge form.

If the candidate does not wish to appear in person for the purpose of filing a revised political practices pledge form, a new form can be mailed to the candidate, however, **faxes will not be accepted nor will the Secretary of State's office or the county election commissions accept responsibility for political practices pledge forms sent by mail if not received and filed by the filing deadline.**

The Secretary of State's office and county election commissions must make a final determination on the form in which the candidate's name will be printed on the ballot no later than one (1) business day after the filing deadline.

A candidate shall not be permitted to change the form in which his or her name will be printed on the ballot after the deadline for filing the political practices pledge.

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POLL WORKERS' CHECKLIST

(To be completed by poll workers at the polling site on election day)

Name and Date of Election: _____

Precinct Number(s): _____ Polling Location Name: _____

BEFORE BEGINNING ANY OFFICIAL DUTIES

Oath of Poll Workers (all poll workers must take and sign the oath before beginning any official duties)

We, the undersigned, do swear that we will perform the duties of poll workers of this election according to law and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit, and abuse in conducting the same, and we will not disclose how any voter shall have voted, unless required to do so as a witness in a judicial proceeding or a proceeding to contest an election.

BEFORE OPENING THE POLLING SITE

Paper Ballot Accounting (Account for all paper ballots at the poll using the top bolded line as an example)

Ballots for Precinct 001 **quantity** 300 **serial number** 0012300 **through** 0012599

Ballots for Precinct _____ quantity _____ serial number _____ through _____

Ballots for Precinct _____ quantity _____ serial number _____ through _____

Ballots for Precinct _____ quantity _____ serial number _____ through _____

Ballots for Precinct _____ quantity _____ serial number _____ through _____

Ballots for Precinct _____ quantity _____ serial number _____ through _____

Total number of paper ballots received: _____

Confirm completion of each task below by entering a checkmark in the space provided or marking N/A in the space, if not applicable. **Explain all exceptions** in the Exceptions and Comments section provided at the end of the Checklist.

- _____ Inspected election supplies for any missing items
- _____ Arranged voting booths and machines within plain view of the poll workers while ensuring orderly flow of voters and voter privacy
- _____ Identified the 100' boundary for electioneering
- _____ Posted VOTE HERE signs near each main driveway entrance to the poll
- _____ Posted a "Notice on Electioneering" on the exterior entrances used by voters
- _____ Posted a ZERO printout tape for each voting machine (signed by all poll workers)
- _____ Posted a ZERO printout tape for each electronic vote tabulating device (scanner) signed by all poll workers
- _____ Posted the Public Notice of Election
- _____ Posted 2 sample ballots marked "SAMPLE" of each ballot style to be used at the poll
- _____ Posted 2 copies of the full text of all measures on the ballot
- _____ Posted 2 copies of instructions on how to vote, including provisional and fail-safe voting
- _____ Posted Voting Rights Posters provided by the Secretary of State's Office
- _____ Posted poll watcher rights and responsibilities (provided by SBEC)
- _____ Followed instructions for activating the voting machine(s) for voting
- _____ Followed instructions for opening electronic vote tabulating devices (scanners)
- _____ Reviewed voter identification procedures (separate instructions provided by SBEC)
- _____ Reviewed fail-safe & provisional voting procedures (separate instructions provided by SBEC)
- _____ Reviewed abandoned ballot procedures (separate instructions provided by SBEC)

DURING VOTING HOURS (7:30 a.m. through 7:30 p.m.)

_____ Opened the poll at 7:30 a.m.

Processed voters

- _____ Requested that each voter state his or her name and address
- _____ Requested that each voter state his or her date of birth
- _____ Confirmed each voter's stated date of birth and address to the precinct voter registration list
- _____ Requested that each voter provide a current and valid form of ID
- _____ Marked the precinct voter registration list for all voters unable to provide ID
- _____ Had the voter sign the precinct voter registration list
- _____ Recorded or had the voter record his or her name on the list of voters (provided by SBEC)
- _____ Initialed the back of each ballot before giving the voter the ballot
- _____ Removed the stub **before** giving the voter the ballot
- _____ Placed all removed stubs in the stub box provided
- _____ Prohibited ballots from being carried outside of the poll

PRIMARY ELECTIONS ONLY

- _____ Requested the voter to state in which party primary or other election he or she wished to vote
- _____ Marked the precinct voter registration list with a D (Democratic Ballot), R (Republican Ballot), or NP (Nonpartisan Judicial Only Ballot)

PRIMARY RUNOFF ELECTIONS ONLY

- _____ Allowed voters who voted a Democratic ballot in the primary to vote a Democratic ballot in the runoff election (voter **cannot** vote a Republican ballot)
- _____ Allowed voters who voted a Republican ballot in the primary to vote a Republican ballot in the runoff election (voter **cannot** vote a Democratic ballot)
- _____ Allowed voters who voted a Nonpartisan Judicial or Special Election ballot in the primary to vote either party's runoff ballot, if they choose to do so
- _____ Allowed voters who did not vote in the primary at all to vote either party's runoff ballot, if they choose to do so

Assisted, Fail-safe and Provisional Voting

- _____ Followed all procedures regarding assisting voters (instructions provided by SBEC)
- _____ Kept a list of all voters assisted, including the name and address of the person assisting the voter (List of Persons Assisting Voters form provided by SBEC)
- _____ Followed all fail-safe voting procedures
- _____ Required every poll watcher to present a poll watcher affidavit immediately upon entering the poll (Poll Watcher Authorization Form provided by SBEC)
- _____ Followed all provisional voting procedures
- _____ Kept a separate list of the names and addresses of all persons voting provisional ballots (List of Provisional Voters form provided by SBEC)
- _____ Provided written information to voters casting provisional ballots instructing them on how to determine if their vote was counted and the reason, if not counted
- _____ Kept all provisional ballots secured and separate from other ballots
- _____ Kept all provisional ballots resulting from a court ordered voting extension secured and separate from the other provisional ballots

Spoiled and Abandoned Ballots

- _____ Followed all spoiled ballot procedures (separate instructions provided by SBEC)
- _____ Wrote "Cancelled" on the face of all spoiled ballots
- _____ Had voters sign a spoiled ballot affidavit before issuing a replacement ballot, up to 3 ballots in all (Spoiled Ballot Affidavit provided by SBEC)
- _____ Preserved all spoiled ballots separately from other ballots
- _____ Wrote "Abandoned" on the face of any paper ballot left at a voting booth or anywhere else in the poll without being inserted into the ballot box by the voter before leaving the poll
- _____ Placed the abandoned ballot in an envelope, marked the envelope "Abandoned Ballot," and documented circumstances on the outside of the envelope
- _____ Preserved abandoned ballots separately from other ballots
- _____ Followed procedures for ballots abandoned at a scanner or voting machine
- _____ Kept an abandoned ballot log for ballots abandoned at a scanner or voting machine (Abandoned Ballot Log provided by SBEC)

CLOSING THE POLL

- _____ Announced the closing and closed the poll at 7:30 p.m.
- _____ Allowed persons already in line when the poll closed to cast their vote
- _____ Totaled the # of voters on the list of voters forms and certified, attested, and signed the lists

Paper Ballot Accounting (Account for the number of ballots **not used** by using the example below OR by performing a manual recount of **unused** paper ballots by precinct or in total)

Example:

Ballots for Precinct	001	quantity	110	serial number	0012490	through	0012599
Ballots for Precinct	_____	quantity	_____	serial number	_____	through	_____
Ballots for Precinct	_____	quantity	_____	serial number	_____	through	_____
Ballots for Precinct	_____	quantity	_____	serial number	_____	through	_____
Ballots for Precinct	_____	quantity	_____	serial number	_____	through	_____
Ballots for Precinct	_____	quantity	_____	serial number	_____	through	_____

Total number of paper ballots not used: _____

- a) _____ Total number of paper ballots received (from paper ballot accounting before opening poll)
- b) _____ Total number of paper ballots not used (from paper ballot accounting directly above)
- c) _____ Total number of paper ballots used (a – b)
- d) _____ Total number of spoiled paper ballots (from the Spoiled Ballot Affidavit)
- e) _____ Total number of abandoned paper ballots (manually count the "Abandoned Ballot" envelopes)
- f) _____ Total number of provisional ballots cast (from the List of Provisional Voters form)
- g) _____ Total number of non-provisional paper ballots cast (c – d – e – f)
- h) _____ Total number of paper ballots cast (f + g)
- i) _____ Total number of votes cast on voting machines (from the voting machine tape printouts)
- j) _____ TOTAL NUMBER OF VOTERS (e + h + i)
- k) _____ Total number of ballots scanned (from the electronic vote tabulator tape printout)
- l) _____ Total number of voters on the list of voters forms
- m) _____ Total number of voters on the provisional voter list

Crosschecks

- _____ The total number of paper ballots used and recorded under "c" should equal (d + e + f + g)
- _____ The total number of non-provisional paper ballots cast under "g" should equal "k"
- _____ The total number of voters recorded under "j" should equal the sum of "l" plus "m"

POLL WORKERS' CHECKLIST

Voting Machines

- ☐ Secured voting machines against further voting by removing the activation packs or devices
- ☐ Attested to the exact time machines were secured against voting and to the number of votes on the public counters and certified by signature of all poll workers (form provided by SBEC)
- ☐ Secured RTAL tapes
- ☐ Exposed the vote count for each voting machine in the presence of all persons authorized to be present
- ☐ Produced and signed three (3) copies of the return record from each voting machine
- ☐ Posted one copy of each return record on the wall of the polling room
- ☐ Placed the activation pack or device used to collect votes from each machine and all certified return records in a sealed package signed by all poll workers

Electronic Vote Tabulating Devices (Scanners)

- ☐ Produced and signed the return record from the scanner
- ☐ Counted write-in votes and prepared a return of votes on forms provided for that purpose
- ☐ Posted results outside the polling location

Paper Ballots (to be counted at a central location)

- ☐ Sealed all voted ballots in a numbered, sealed container for transport

Election Materials

- ☐ Sealed stub boxes for transport (covered slots where stubs are inserted)
- ☐ Delivered the sealed package containing the activation packs/devices from each voting machine along with the certified return records to the county election commission
- ☐ Obtained a receipt for the sealed package
- ☐ Delivered secured voted paper ballots, unused ballots, provisional ballots, cancelled ballots, and defective ballots to the county election commission
- ☐ Delivered returns to the county election commission
- ☐ Delivered election materials to the county election commission
- ☐ Delivered the list of voters forms, precinct voter registration lists, voter registration application forms, and other record keeping supplies to the county clerk

EXCEPTIONS AND COMMENTS

Please list any events of the day that were out of the ordinary, any comments, or any suggestions.

(use extra pages if necessary)

**STATEMENT OF COMPLIANCE
FOR
COMBINED MAY PREFERENTIAL PRIMARY
AND
NONPARTISAN JUDICIAL GENERAL ELECTIONS**
(Effective May 18, 2004; Revised December 10, 2009)

COUNTY _____

ELECTION _____

Arkansas Code Annotated § 7-5-707 requires that this form be completed, signed, and filed with the State Board of Election Commissioners within fifteen (15) days after each Preferential Primary Election held in May.

PRECINCTS AND POLLS

- a) _____ Total number of precincts
- b) _____ Total number of early voting polls (courthouse and off-site). *Please indicate whether early voting was conducted by the county clerk's office, the county election commission, or both.* _____

- c) _____ Total number of election day polls

VOTING SYSTEM

This election was conducted using the following number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242) and electronic vote tabulating devices (ES&S M100/ES&S M650 paper ballot scanners):

- a) _____ Total number of voting machines used for early voting
- b) _____ Total number of voting machines used on election day
- c) _____ Total number of ES&S M100 electronic vote tabulating devices used at the early voting poll(s)
- d) _____ Total number of ES&S M100 electronic vote tabulating devices used at the polls on election day
- e) _____ Total number of ES&S M100 electronic vote tabulating devices used at a central counting location on election day/night
- f) _____ Total number of ES&S M650 electronic vote tabulating devices used at a central counting location on election day/night
- g) _____ Total number of paper ballots printed

STATEMENT OF COMPLIANCE
COMBINED MAY PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL GENERAL ELECTIONS

Checklist

Enter “Yes” in the blank to confirm completion of each task, “No” to indicate that the requirement was not met, or “N/A” if not applicable. Please explain all exceptions in the Exceptions and Comments section.

1. ____ Held a public meeting to determine by lot the order in which the names of candidates would appear on the ballots
 - a) ____ by the deadline of **not later than sixty-five (65) days before the election**
 - b) ____ gave at least ten (10) days written notice to the county committee
 - c) ____ published notice of the meeting at least three **(3) days before the meeting** in some newspaper of general circulation in the county [§7-7-305(b)]

2. ____ Changed precinct boundaries, created new precincts, changed polling sites, and designated a polling site for each election precinct **at least thirty-one (31) days before the election** in a public meeting by unanimous vote [§7-5-101]
 - a) ____ recorded the board’s actions with the county clerk [§7-5-101]
 - b) ____ provided polls accessible to voters with disabilities [§7-5-311(a)]
 - c) ____ posted notice of any changes in polling sites at all previous polling sites used in the last election [§7-5-101(d)(3)]
 - d) ____ established common polling sites for the joint conduct of the election [§7-7-202(d)]

3. ____ Held early voting at additional polling sites outside the county clerk’s office [§7-5-418(b)(1)(A)]
 - a) ____ determined, in a public meeting by unanimous vote, the location(s) of additional off-site early voting polling sites [§7-5-418(b)(1)(B)]
 - b) ____ notified the county clerk of the board’s decision **within ten (10) days of its decision** [§7-5-418(b)(3)(A)]

4. ____ Provided absentee ballots and “special runoff ballots” for qualified electors temporarily residing outside the U. S.
 - a) ____ delivered the ballots to the county clerk **at least thirty-five (35) days before the election** [§§ 7-5-211(c); 7-5-406(c); 7-5-407(a)]

5. ____ Prepared paper ballots and voting machine ballot styles as provided by law under A.C.A. §§ 7-3-104, 7-5-207, 7-5-208, 7-5-406, 7-5-601, 7-5- 610, 7-7-304, 7-7-305, 7-7-306, 7-8-302, and 7-10-102
 - a) ____ certified the printed ballots and voting machine ballot styles before delivery to the county clerk for absentee voting [§7-5-512(a)]

6. ____ Prepared voting machines upon the proper certification of candidates and questions [§7-5-515(a)]
 - a) ____ published notice of the time and place of the voting machine preparation [§7-5-516]

STATEMENT OF COMPLIANCE
COMBINED MAY PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL GENERAL ELECTIONS

7. ____ Appointed election officials **at least twenty (20) days before the election** [§ 7-4-107(b)(1)]
- a) ____ selected and appointed a sufficient number of poll workers for each polling site [§§7-4-107(b)(1); 7-7-302]
 - b) ____ selected and appointed at least one (1) poll worker per poll that attended approved training [§7-4-107(b)(2)]
 - c) ____ selected and appointed minority party poll workers for each poll as provided by law [§7-4-107(b)(2)]
 - d) ____ appointed poll workers to adequately staff additional off-site early voting polling sites under the election commission's supervision [§7-5-418(b)(2)]
 - e) ____ appointed absentee election clerks to process, count, and canvass absentee ballots [§7-5-414(a)]
8. ____ Published in a newspaper of general circulation in the county, public notice of the date of the election, the places and times for early voting, hours of voting on election day, polling sites, candidates and offices to be elected, and the time and location of opening, processing, canvassing, and counting ballots
- a) ____ by the deadline of **at least twenty (20) days before the election** [§7-5-202(a)]
 - b) ____ published a second publication **at least five (5) days before the election** [§7-5-202(b)]
9. ____ Delivered at least one (1) voting machine equipped for use by individuals with disabilities to the county clerk's designated early voting location and all off-site early voting polling locations by the deadline of **at least sixteen (16) days before the election** [§§7-5-413(a)(1); 7-5-418(a)(1)(A)]
10. ____ Posted in a public place in the county clerk's office, the list of appointed election officials, including the names of election commissioners **at least fifteen (15) days before the election** [§7-5-202(b)(2)]
11. Tested and secured voting systems:
- a) ____ Held public testing of voting machines and electronic vote tabulating devices **at least seven (7) days before the election** [§§7-5-515(c)(1); 7-5-611(a)(2)]
 - b) ____ gave public notice of the time and place of the test by publication in a daily or weekly newspaper in the town, city, or county using the voting machines or devices **at least forty-eight (48) hours before testing** [§§ 7-5-515(c)(2); 7-5-611(a)(3)]
 - c) ____ ensured that paper ballot systems that include electronic vote tabulating device(s) were programmed to reject overvoted ballots [§7-5-604(a)(5)(B), (6)(B)]
 - d) ____ certified the accuracy of the voting system and filed the test results with the county clerk [§§7-5-515(e); 7-5-611(a)(8)]
 - e) ____ after preparation, testing, and examination, secured the voting machines against further voting [§7-5-517(a)]
 - f) ____ placed voting machine activation devices in a sealed package labeled with the serial number of the voting machine, the precinct location of the voting machine and the number registered on the protective counter [§7-5-517(b)]
 - g) ____ certified, in the presence of the candidates or their representative, by machine serial number, as to the number registered on the protective counter of each

STATEMENT OF COMPLIANCE
COMBINED MAY PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL GENERAL ELECTIONS

- voting machine and that all contest counters registered ZERO [§7-5-517(c)]
- h) _____ secured voting machine activation devices until released for delivery to poll workers [§7-5-517(d)]
12. _____ Developed a voter education program to inform voters about the consequences of overvoting if using paper ballots to be counted by hand or at a central counting location [§7-5-604(a)(5)(C), (6)(C)]
13. _____ **At least one (1) day before the election**, delivered ballots and supplies to persons designated by the commission to deliver to poll workers [§7-5-211(a)]
- a) _____ provided sufficient quantities of ballots, voting booths, and voting machines for each polling site [§§7-5-309(a); 7-5-512(c); 7-5-602]
- b) _____ provided all required supplies, forms, and postings [§§7-5-211(a)(2); 7-5-512(b),(d)], including a poll workers' certificate to use on election day to record the exact time and number of votes shown on the public counters and to attest that voting machines were made inaccessible to voting at the official time for closing the polls and upon terminating of the voting by removing the activation devices [§7-5-526]
14. _____ Received all election materials and returns from the poll workers **immediately after the polls closed** [§7-5-317(b)]
- a) _____ provided poll workers with a receipt for delivery of the sealed package containing the voting machine activation devices and certified return records [§7-5-527(e)]
15. _____ Declared preliminary and unofficial results of the election (including a statement of the number of outstanding absentee ballots of overseas voters) **immediately after the count of the votes was completed** on election day and reported the results to the county clerk for immediate transmission to the Secretary of State via the internet website provided by the Secretary of State [§7-5-701(a)(2)]
16. **Before certification of the results of the election,**
- a) _____ reviewed and determined the validity of all provisional ballots [§§ 7-5-308(d)(1); 7-5-417(c); 7-7-308(a)]
- b) _____ mailed first class notice to all provisional voters telling them whether their vote was counted, and, if not counted, the reason not counted [§7-5-308(c)(1), Section 906 of the State Board Rules on Provisional Voting]
- c) _____ counted all overseas absentee ballots that were properly executed and received by the county clerk by 5:00 p.m. ten (10) calendar days after the election REGARDLESS of whether they would change the outcome of the election [§7-5-411(a)(1)(B)]
- d) _____ compiled electronic countywide totals from the activation pack or device from each voting machine used to collect votes and verified that they matched manually compiled countywide totals from the polling locations' certified return records [§7-5-529]
- e) _____ produced an audit log for each voting machine used in the election [§7-5-530(a)]

STATEMENT OF COMPLIANCE
COMBINED MAY PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL GENERAL ELECTIONS

17. ____ Certified the official election results via the internet to the Secretary of State and by mail to the county clerk
- a) ____ by the deadline of **no earlier than forty-eight (48) hours and no later than the tenth day after the election** [§§ 7-5-707(a); 7-7-203(e)(1); 7-7-309]
 - b) ____ transmitted the number of overvotes and undervotes cast in each race and issue in the election to the county clerk for transmission to the State Board of Election Commissioners via the internet website provided by the Secretary of State [§7-5-707(d)]
 - c) ____ submitted a written report of the number of persons voting, unused ballots, and ballots cast at the election as provided under Ark. Code Ann. §7-5-707 to the State Board of Election Commissioners at the time of certifying the vote to the Secretary of State
 - d) ____ filed a copy of the written report with the county clerk and posted a copy in a public place in the county clerk's office for twenty (20) days [§7-5-707(c)]
18. ____ Mailed to the Secretary of State certified copies of the abstract of the returns of the election
- a) ____ by the deadline of **no earlier than forty-eight (48) hours and no later than the tenth day after the election** [§§7-7-203(e)(1); 7-7-309]
 - b) ____ filed a certificate detailing the result of the election with the county clerk [§7-5-701(b)]
19. **After certification:**
- a) ____ cleared the voting machines for future elections [§7-5-531(b)(2)]
 - b) ____ secured all voting machines, audit logs, and voter-verified paper audit trails [§7-5-531]
 - c) ____ preserved all ballots, certificates, and election materials according to Ark. Code Ann. §§ 7-5-531 and 7-5-702.
20. ____ Signed and filed this "Statement of Compliance" with the State Board of Election Commissioners affirming compliance with all duties and responsibilities of conducting the election **within fifteen (15) days after the election** [§7-5-707(e)]
21. **RECOUNT (if applicable):**
- a) ____ Conducted a recount upon a motion of the county board of election commissioners [§7-5-319(b)]. **Please explain the reason for the recount.**
-
-
-
-
-
-
-
-

STATEMENT OF COMPLIANCE
COMBINED MAY PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL GENERAL ELECTIONS

- b) _____ Received a petition for recount from a candidate by the deadline of:
1. _____ **no later than two (2) days after the county board declared preliminary and unofficial results**, if the number of outstanding overseas absentee ballots was insufficient to change the results of the election [§7-5-319(a)(2)]
 2. _____ **before the county board certified the results of the election**, if the number of outstanding overseas absentee ballots was sufficient to potentially change the results of the election [§7-5-319(a)(3)]
 3. _____ notified all candidates whose election could be affected by the outcome of the recount **within forty-eight (48) hours after receipt of the petition for recount** [§7-5-319(i)]
 4. _____ provided the candidate requesting the recount a copy of the test results on the voting machines and the electronic vote tabulating device(s) performed under A.C.A. §§ 7-5-515 and 7-5-611 [§7-5-319(b)]
- c) _____ Opened the package containing the paper ballots and recounted the paper ballots
1. _____ in the same manner as the initial count [§7-5-319(d)]
 2. _____ in a manner different than the initial count [§7-5-319(d)]
Please explain why a different process was used and identify the process used. _____

 3. _____ if direct recording electronic voting machines were used, recounted the ballots using the voter verified paper audit trail as the official ballot [§7-5-319(c)]
 - A. _____ manually added the total votes for each candidate involved in the recount from the voter-verified paper audit trail, OR
 - B. _____ counted by hand the votes for each candidate involved in the recount from the voter-verified paper audit trail, OR
 - C. _____ used the paper record produced by the machine for manual audit due to a damaged voter-verified paper audit trail, OR
 - D. _____ used the paper record produced by the machine for manual audit, as the machine is exempt from the voter-verified paper audit trail requirement
 4. _____ after the recount, secured the paper ballots, voting machines, electronic vote tabulating devices, audit logs, VVPATs, election materials and returns for retention and storage as provided by law [§§7-5-319(f); 7-5-531; 7-5-532(e); 7-5-702]
 5. _____ certified the results of the last recount [§7-5-319(b)]

STATEMENT OF COMPLIANCE
COMBINED MAY PREFERENTIAL PRIMARY AND NONPARTISAN JUDICIAL GENERAL ELECTIONS

ALL ELECTION COMMISSIONERS MUST SIGN

We, the undersigned members of the County Board of Election Commissioners for the County of _____, do hereby state that the above is true to the best of our knowledge this _____ day of _____, 20____.

Election Commission Chair

Election Commissioner

Election Commissioner

WITHIN FIFTEEN DAYS AFTER THE ELECTION RETURN TO:

State Board of Election Commissioners

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 or (800) 411-6996

www.arkansas.gov/sbec

**STATEMENT OF COMPLIANCE
FOR
NOVEMBER GENERAL ELECTIONS**

(Effective May 18, 2004; Revised December 10, 2009)

COUNTY _____

ELECTION _____

Arkansas Code Annotated § 7-5-707 requires that this form be completed, signed, and filed with the State Board of Election Commissioners within fifteen (15) days after each General Election held in November.

PRECINCTS AND POLLS

- a) _____ Total number of precincts
- b) _____ Total number of early voting polls (courthouse and off-site). *Please indicate whether early voting was conducted by the county clerk's office, the county election commission, or both.* _____

- c) _____ Total number of election day polls

VOTING SYSTEM

This election was conducted using the following number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242) and electronic vote tabulating devices (ES&S M100/ES&S M650 paper ballot scanners):

- a) _____ Total number of voting machines used for early voting
- b) _____ Total number of voting machines used on election day
- c) _____ Total number of ES&S M100 electronic vote tabulating devices used at the early voting poll(s)
- d) _____ Total number of ES&S M100 electronic vote tabulating devices used at the polls on election day
- e) _____ Total number of ES&S M100 electronic vote tabulating devices used at a central counting location on election day/night
- f) _____ Total number of ES&S M650 electronic vote tabulating devices used at a central counting location on election day/night
- g) _____ Total number of paper ballots printed

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Checklist

Enter “Yes” in the blank to confirm completion of each task, “No” to indicate that the requirement was not met, or “N/A” if not applicable. Please explain all exceptions in the Exceptions and Comments section.

1. ____ Held a public meeting to determine by lot the order in which the names of candidates would appear on the ballots
 - a) ____ by the deadline of **not later than sixty-five (65) days before the election**
 - b) ____ gave at least ten (10) days written notice to the county committee
 - c) ____ published notice of the meeting at least three **(3) days before the meeting** in some newspaper of general circulation in the county [§7-5-207(c)]

2. ____ Changed precinct boundaries, created new precincts, changed polling sites, and designated a polling site for each election precinct **at least thirty-one (31) days before the election** in a public meeting by unanimous vote [§7-5-101]
 - a) ____ recorded the board’s actions with the county clerk [§7-5-101]
 - b) ____ provided polls accessible to voters with disabilities [§7-5-311(a)]
 - c) ____ posted notice of any changes in polling sites at all previous polling sites used in the last election [§7-5-101(d)(3)]

3. ____ Held early voting at additional polling sites outside the county clerk’s office [§7-5-418(b)(1)(A)]
 - a) ____ determined, in a public meeting by unanimous vote, the location(s) of additional off-site early voting polling sites [§7-5-418(b)(1)(B)]
 - b) ____ notified the county clerk of the board’s decision **within ten (10) days of its decision** [§7-5-418(b)(3)(A)]

4. ____ Provided absentee ballots and “special runoff ballots” for qualified electors temporarily residing outside the U. S.
 - a) ____ delivered the ballots to the county clerk **at least thirty-five (35) days before the election** [§§7-5-211(c); 7-5-406(c); 7-5-407(a)]
 - b) ____ delivered the ballots to the county clerk **at least forty-five (45) days before the election** for military overseas voters [Federal MOVE Act of 2009]

5. ____ Met to elect one member of the county board to serve as chair of the commission **at least thirty (30) days before the election** [§7-4-105(a)]

6. ____ Prepared paper ballots and voting machine ballot styles as provided by law under A.C.A. §§ 7-3-104, 7-5-207, 7-5-208, 7-5-406, 7-5-601, 7-5- 610, 7-8-302, 7-9-117, 7-10-102, and 14-14-917
 - a) ____ certified the printed ballots and voting machine ballot styles before delivery to the county clerk for absentee voting [§7-5-512(a)]

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7. ____ Prepared voting machines upon the proper certification of candidates and questions [§7-5-515(a)]
a) ____ published notice of the time and place of the voting machine preparation [§7-5-516]
8. ____ Appointed election officials **at least twenty (20) days before the election** [§ 7-4-107(b)(1)]
a) ____ selected and appointed a sufficient number of poll workers for each polling site [§7-4-107(b)(1)]
b) ____ selected and appointed at least one (1) poll worker per poll that attended approved training [§7-4-107(b)(2)]
c) ____ selected and appointed minority party poll workers for each poll as provided by law [§7-4-107(b)(2)]
d) ____ appointed poll workers to adequately staff additional off-site early voting polling sites under the election commission's supervision [§7-5-418(b)(2)]
e) ____ appointed absentee election clerks to process, count, and canvass absentee ballots [§7-5-414(a)]
9. ____ Published in a newspaper of general circulation in the county, public notice of the date of the election, the places and times for early voting, hours of voting on election day, polling sites, candidates and offices to be elected, and the time and location of opening, processing, canvassing, and counting ballots
a) ____ by the deadline of **at least twenty (20) days before the election** [§7-5-202(a)]
b) ____ published a second publication **at least five (5) days before the election** [§7-5-202(b)]
10. ____ Delivered at least one (1) voting machine equipped for use by individuals with disabilities to the county clerk's designated early voting location and all off-site early voting polling locations by the deadline of **at least sixteen (16) days before the election** [§§7-5-413(a)(1); 7-5-418(a)(1)(A)]
11. ____ Posted in a public place in the county clerk's office, the list of appointed election officials, including the names of election commissioners **at least fifteen (15) days before the election** [§7-5-202(b)(2)]
12. ____ Posted a list at the door of the courthouse of all nominations, proposed amendments to the constitution, and all questions to be submitted to the electors at the election **at least ten (10) days before the election** [§7-5-206]
13. Tested and secured voting systems:
a) ____ Held public testing of voting machines and electronic vote tabulating devices **at least seven (7) days before the election** [§§7-5-515(c)(1); 7-5-611(a)(2)]
b) ____ gave public notice of the time and place of the test by publication in a daily or weekly newspaper in the town, city, or county using the voting machines or devices **at least forty-eight (48) hours before testing** [§§ 7-5-515(c)(2); 7-5-611(a)(3)]
c) ____ ensured that paper ballot systems that include electronic vote tabulating device(s) were programmed to reject overvoted ballots [§7-5-604(a)(5)(B), (6)(B)]

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- d) _____ certified the accuracy of the voting system and filed the test results with the county clerk [§§7-5-515(e); 7-5-611(a)(8)]
 - e) _____ after preparation, testing, and examination, secured the voting machines against further voting [§7-5-517(a)]
 - f) _____ placed voting machine activation devices in a sealed package labeled with the serial number of the voting machine, the precinct location of the voting machine and the number registered on the protective counter [§7-5-517(b)]
 - g) _____ certified, in the presence of the candidates or their representative, by machine serial number, as to the number registered on the protective counter of each voting machine and that all contest counters registered ZERO [§7-5-517(c)]
 - h) _____ secured voting machine activation devices until released for delivery to poll workers [§7-5-517(d)]
14. _____ Developed a voter education program to inform voters about the consequences of overvoting if using paper ballots to be counted by hand or at a central counting location [§7-5- 604(a)(5)(C), (6)(C)]
15. _____ **At least one (1) day before the election,** delivered ballots and supplies to persons designated by the commission to deliver to poll workers [§7-5-211(a)]
- a) _____ provided sufficient quantities of ballots, voting booths, and voting machines for each polling site [§§7-5-309(a); 7-5-512(c); 7-5-602]
 - b) _____ provided all required supplies, forms, and postings [§§7-5-211(a)(2); 7-5-512(b),(d); 7-9-114(b)], including a poll workers' certificate to use on election day to record the exact time and number of votes shown on the public counters and to attest that voting machines were made inaccessible to voting at the official time for closing the polls and upon terminating of the voting by removing the activation devices [§7-5-526]
16. _____ Received all election materials and returns from the poll workers **immediately after the polls closed** [§7-5-317(b)]
- a) _____ provided poll workers with a receipt for delivery of the sealed package containing the voting machine activation devices and certified return records [§7-5-527(e)]
17. _____ Declared preliminary and unofficial results of the election (including a statement of the number of outstanding absentee ballots of overseas voters) **immediately after the count of the votes was completed** on election day and reported the results to the county clerk for immediate transmission to the Secretary of State via the internet website provided by the Secretary of State [§7-5-701(a)(2)]
18. **Before certification of the results of the election,**
- a) _____ reviewed and determined the validity of all provisional ballots [§§ 7-5-308(d)(1); 7-5-417(c)]
 - b) _____ mailed first class notice to all provisional voters telling them whether their vote was counted, and, if not counted, the reason not counted [§7-5-308(c)(1), Section 906 of the State Board Rules on Provisional Voting]

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- c) _____ counted all overseas absentee ballots that were properly executed and received by the county clerk by 5:00 p.m. ten (10) calendar days after the election REGARDLESS of whether they would change the outcome of the election [§7-5-411(a)(1)(B)]
 - d) _____ compiled electronic countywide totals from the activation pack or device from each voting machine used to collect votes and verified that they matched manually compiled countywide totals from the polling locations' certified return records [§7-5-529]
 - e) _____ produced an audit log for each voting machine used in the election [§7-5-530(a)]
19. _____ Certified the official election results via the internet to the Secretary of State and by mail to the county clerk
- a) _____ by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** [§§7-5-701(a)(1); 7-5-707(a)]
 - b) _____ transmitted the number of overvotes and undervotes cast in each race and issue in the election to the county clerk for transmission to the State Board of Election Commissioners via the internet website provided by the Secretary of State [§7-5-707(d)]
 - c) _____ submitted a written report of the number of persons voting, unused ballots, and ballots cast at the election as provided under Ark. Code Ann. §7-5-707 to the State Board of Election Commissioners at the time of certifying the vote to the Secretary of State
 - d) _____ filed a copy of the written report with the county clerk and posted a copy in a public place in the county clerk's office for twenty (20) days [§7-5-707(c)]
20. _____ Mailed to the Secretary of State certified copies of the abstract of the returns of the election for members of Congress, all executive, legislative and judicial officers and of all votes cast on any measure
- a) _____ by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** [§§7-5-701(c)(1); 7-9-119(b)]
 - b) _____ filed a certificate detailing the result of the election with the county clerk [§7-5-701(b)]
21. **After certification:**
- a) _____ cleared the voting machines for future elections [§7-5-531(b)(2)]
 - b) _____ secured all voting machines, audit logs, and voter-verified paper audit trails [§7-5-531]
 - c) _____ preserved all ballots, certificates, and election materials according to Ark. Code Ann. §§ 7-5-531 and 7-5-702.
22. _____ Delivered a certificate of election **within nineteen (19) days after the election** to the person having the highest number of legal votes for any county office [§7-5-701(a)(3)]
23. _____ Signed and filed this "Statement of Compliance" with the State Board of Election Commissioners affirming compliance with all duties and responsibilities of conducting the election **within fifteen (15) days after the election** [§7-5-707(e)]

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24. RECOUNT (if applicable):

- a) _____ Conducted a recount upon a motion of the county board of election commissioners [§7-5-319(b)]. **Please explain the reason for the recount.**

- b) _____ Received a petition for recount from a candidate by the deadline of:
1. _____ **no later than two (2) days after the county board declared preliminary and unofficial results**, if the number of outstanding overseas absentee ballots was insufficient to change the results of the election [§7-5-319(a)(2)]
 2. _____ **before the county board certified the results of the election**, if the number of outstanding overseas absentee ballots was sufficient to potentially change the results of the election [§7-5-319(a)(3)]
 3. _____ notified all candidates whose election could be affected by the outcome of the recount **within forty-eight (48) hours after receipt of the petition for recount** [§7-5-319(i)]
 4. _____ provided the candidate requesting the recount a copy of the test results on the voting machines and the electronic vote tabulating device(s) performed under A.C.A. §§ 7-5-515 and 7-5-611 [§7-5-319(b)]

- c) _____ Opened the package containing the paper ballots and recounted the paper ballots
1. _____ in the same manner as the initial count [§7-5-319(d)]
 2. _____ in a manner different than the initial count [§7-5-319(d)]
Please explain why a different process was used and identify the process used. _____

3. _____ if direct recording electronic voting machines were used, recounted the ballots using the voter verified paper audit trail as the official ballot [§7-5-319(c)]
 - A. _____ manually added the total votes for each candidate involved in the recount from the voter-verified paper audit trail, OR
 - B. _____ counted by hand the votes for each candidate involved in the recount from the voter-verified paper audit trail, OR
 - C. _____ used the paper record produced by the machine for manual audit due to a damaged voter-verified paper audit trail, OR
 - D. _____ used the paper record produced by the machine for manual audit, as the machine is exempt from the voter-verified paper audit trail requirement
4. _____ after the recount, secured the paper ballots, voting machines, electronic vote tabulating devices, audit logs, VVPATs, election materials and returns for retention and storage as provided by law [§§7-5-319(f); 7-5-531; 7-5-532(e); 7-5-702]
5. _____ certified the results of the last recount [§7-5-319(b)]

EXCEPTIONS AND COMMENTS

[illegible]

STATEMENT OF COMPLIANCE
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ALL ELECTION COMMISSIONERS MUST SIGN

We, the undersigned members of the County Board of Election Commissioners for the County of _____, do hereby state that the above is true to the best of our knowledge this _____ day of _____, 20____.

Election Commission Chair

Election Commissioner

Election Commissioner

WITHIN FIFTEEN DAYS AFTER THE ELECTION RETURN TO:

State Board of Election Commissioners

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 or (800) 411-6996

www.arkansas.gov/sbec

**STATEMENT OF COMPLIANCE
FOR
STATEWIDE SPECIAL ELECTIONS**
(Effective May 18, 2004; Revised December 10, 2009)

COUNTY _____

ELECTION _____

Arkansas Code Annotated § 7-5-707 requires that this form be completed, signed, and filed with the State Board of Election Commissioners within fifteen (15) days after any statewide special election.

PRECINCTS AND POLLS

- a) _____ Total number of precincts
- b) _____ Total number of early voting polls (courthouse and off-site). *Please indicate whether early voting was conducted by the county clerk's office, the county election commission, or both.* _____

- c) _____ Total number of election day polls

VOTING SYSTEM

This election was conducted using the following number of voting machines (ES&S iVotronic Touch Screen, Harp ELECTronic 1242) and electronic vote tabulating devices (ES&S M100/ES&S M650 paper ballot scanners):

- a) _____ Total number of voting machines used for early voting
- b) _____ Total number of voting machines used on election day
- c) _____ Total number of ES&S M100 electronic vote tabulating devices used at the early voting poll(s)
- d) _____ Total number of ES&S M100 electronic vote tabulating devices used at the polls on election day
- e) _____ Total number of ES&S M100 electronic vote tabulating devices used at a central counting location on election day/night
- f) _____ Total number of ES&S M650 electronic vote tabulating devices used at a central counting location on election day/night
- g) _____ Total number of paper ballots printed

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Checklist

Enter “Yes” in the blank to confirm completion of each task, “No” to indicate that the requirement was not met, or “N/A” if not applicable. Please explain all exceptions in the Exceptions and Comments section.

1. ____ Published the proclamation calling for the statewide special election as soon as practicable in a newspaper of general circulation in the county. [A.C.A. §7-11-202(b)]
2. ____ Changed precinct boundaries, created new precincts, changed polling sites, and designated a polling site for each election precinct **at least thirty-one (31) days before the election** in a public meeting by unanimous vote [§7-5-101]
 - a) ____ recorded the board’s actions with the county clerk [§7-5-101]
 - b) ____ provided polls accessible to voters with disabilities [§7-5-311(a)]
 - c) ____ posted notice of any changes in polling sites at all previous polling sites used in the last election [§7-5-101(d)(3)]
3. ____ Held early voting at additional polling sites outside the county clerk’s office [§7-5-418(b)(1)(A)]
 - a) ____ determined, in a public meeting by unanimous vote, the location(s) of additional off-site early voting polling sites [§7-5-418(b)(1)(B)]
 - b) ____ notified the county clerk of the board’s decision **within ten (10) days of its decision** [§7-5-418(b)(3)(A)]
4. ____ Provided absentee ballots for qualified electors temporarily residing outside the U. S.
 - a) ____ delivered the ballots to the county clerk **at least thirty-five (35) days before the election** [§§7-5-211(c); 7-5-407(a)]
5. ____ Prepared paper ballots and voting machine ballot styles as provided by law under A.C.A. §§ 7-5-208, 7-5-601, and 7-11-205
 - a) ____ certified the printed ballots and voting machine ballot styles before delivery to the county clerk for absentee voting [§7-5-512(a)]
6. ____ Prepared voting machines upon the proper certification of the questions [§7-5-515(a)]
 - a) ____ published notice of the time and place of the voting machine preparation [§7-5-516]
7. ____ Appointed election officials **at least twenty (20) days before the election** [§7-4-107(b)(1)]
 - a) ____ selected and appointed a sufficient number of poll workers for each polling site [§7-4-107(b)(1)]
 - b) ____ selected and appointed at least one (1) poll worker per poll that attended approved training [§7-4-107(b)(2)]
 - c) ____ selected and appointed minority party poll workers for each poll as provided by law [§7-4-107(b)(2)]
 - d) ____ appointed poll workers to adequately staff additional off-site early voting polling sites under the election commission’s supervision [§7-5-418(b)(2)]

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- e) _____ appointed absentee election clerks to process, count, and canvass absentee ballots
[§7-5-414(a)]
8. _____ Published in a newspaper of general circulation in the county, public notice of the date of the election, the places and times for early voting, hours of voting on election day, polling sites, and the time and location of opening, processing, canvassing, and counting ballots
- a) _____ by the deadline of **at least ten (10) days before the election** [§§7-5-202(a); 7-11-303]
- b) _____ published a second publication **at least five (5) days before the election** [§§7-5-202(b); 7-11-303]
9. _____ Delivered at least one (1) voting machine equipped for use by individuals with disabilities to the county clerk's designated early voting location and all off-site early voting polling locations by the deadline of **at least eight (8) days before the election** [§§7-5-413(a)(1); 7-5-418(a)(2)]
10. _____ Posted in a public place in the county clerk's office, the list of appointed election officials, including the names of election commissioners **at least fifteen (15) days before the election** [§7-5-202(b)(2)]
11. _____ Posted a list at the door of the courthouse of all measures and questions to be submitted to the electors at the election **at least ten (10) days before the election** [§§7-5-206; 7-11-303]
12. Tested and secured voting systems:
- a) _____ Held public testing of voting machines and electronic vote tabulating devices **at least seven (7) days before the election** [§§7-5-515(c)(1); 7-5-611(a)(2)]
- b) _____ gave public notice of the time and place of the test by publication in a daily or weekly newspaper in the town, city, or county using the voting machines or devices **at least forty-eight (48) hours before testing** [§§ 7-5-515(c)(2); 7-5-611(a)(3)]
- c) _____ ensured that paper ballot systems that include electronic vote tabulating device(s) were programmed to reject overvoted ballots [§7-5-604(a)(5)(B), (6)(B)]
- d) _____ certified the accuracy of the voting system and filed the test results with the county clerk [§§7-5-515(e); 7-5-611(a)(8)]
- e) _____ after preparation, testing, and examination, secured the voting machines against further voting [§7-5-517(a)]
- f) _____ placed voting machine activation devices in a sealed package labeled with the serial number of the voting machine, the precinct location of the voting machine and the number registered on the protective counter [§7-5-517(b)]
- g) _____ certified, in the presence of the candidates or their representative, by machine serial number, as to the number registered on the protective counter of each voting machine and that all contest counters registered ZERO [§7-5-517(c)]
- h) _____ secured voting machine activation devices until released for delivery to poll workers [§7-5-517(d)]

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13. ____ Developed a voter education program to inform voters about the consequences of overvoting if using paper ballots to be counted by hand or at a central counting location [§7-5- 604(a)(5)(C), (6)(C)]
14. ____ **At least one (1) day before the election**, delivered ballots and supplies to persons designated by the commission to deliver to poll workers [§7-5-211(a)]
- a) ____ provided sufficient quantities of ballots, voting booths, and voting machines for each polling site [§§7-5-309(a); 7-5-512(c); 7-5-602]
- b) ____ provided all required supplies, forms, and postings [§§7-5-211(a)(2); 7-5-512(b),(d); 7-9-114(b)], including a poll workers' certificate to use on election day to record the exact time and number of votes shown on the public counters and to attest that voting machines were made inaccessible to voting at the official time for closing the polls and upon terminating of the voting by removing the activation devices [§7-5-526]
15. ____ Received all election materials and returns from the poll workers **immediately after the polls closed** [§7-5-317(b)]
- a) ____ provided poll workers with a receipt for delivery of the sealed package containing the voting machine activation devices and certified return records [§7-5-527(e)]
16. ____ Declared preliminary and unofficial results of the election (including a statement of the number of outstanding absentee ballots of overseas voters) **immediately after the count of the votes was completed** on election day and reported the results to the county clerk for immediate transmission to the Secretary of State via the internet website provided by the Secretary of State [§7-5-701(a)(2)]
17. **Before certification of the results of the election,**
- a) ____ reviewed and determined the validity of all provisional ballots [§§ 7-5-308(d)(1); 7-5-417(c)]
- b) ____ mailed first class notice to all provisional voters telling them whether their vote was counted, and, if not counted, the reason not counted [§7-5-308(c)(1), Section 906 of the State Board Rules on Provisional Voting]
- c) ____ counted all overseas absentee ballots that were properly executed and received by the county clerk by 5:00 p.m. ten (10) calendar days after the election REGARDLESS of whether they would change the outcome of the election [§7-5-411(a)(1)(B)]
- d) ____ compiled electronic countywide totals from the activation pack or device from each voting machine used to collect votes and verified that they matched manually compiled countywide totals from the polling locations' certified return records [§7-5-529]
- e) ____ produced an audit log for each voting machine used in the election [§7-5-530(a)]
18. ____ Certified the official election results via the internet to the Secretary of State and by mail to the county clerk
- a) ____ by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** [§§7-5-701(a)(1); 7-5-707(a)]

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- b) _____ transmitted the number of overvotes and undervotes cast in each issue in the election to the county clerk for transmission to the State Board of Election Commissioners via the internet website provided by the Secretary of State [§7-5-707(d)]
- c) _____ submitted a written report of the number of persons voting, unused ballots, and ballots cast at the election as provided under Ark. Code Ann. §7-5-707 to the State Board of Election Commissioners at the time of certifying the vote to the Secretary of State
- d) _____ filed a copy of the written report with the county clerk and posted a copy in a public place in the county clerk's office for twenty (20) days [§7-5-707(c)]
19. _____ Mailed to the Secretary of State certified copies of the abstract of the returns of the election
- a) _____ by the deadline of **no earlier than forty-eight (48) hours and no later than the fifteenth day after the election** [§7-9-119(b)]
- b) _____ filed a certificate detailing the result of the election with the county clerk [§7-5-701(b)]
20. **After certification:**
- a) _____ cleared the voting machines for future elections [§7-5-531(b)(2)]
- b) _____ secured all voting machines, audit logs, and voter-verified paper audit trails [§7-5-531]
- c) _____ preserved all ballots, certificates, and election materials according to Ark. Code Ann. §§ 7-5-531 and 7-5-702.
21. _____ Signed and filed this "Statement of Compliance" with the State Board of Election Commissioners affirming compliance with all duties and responsibilities of conducting the election **within fifteen (15) days after the election** [§7-5-707(e)]
22. **RECOUNT (if applicable):**
- a) _____ Conducted a recount upon a motion of the county board of election commissioners [§7-5-319(b)]. **Please explain the reason for the recount.**
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- b) _____ Opened the package containing the paper ballots and recounted the paper ballots
1. _____ in the same manner as the initial count [§7-5-319(d)]
2. _____ in a manner different than the initial count [§7-5-319(d)]
- Please explain why a different process was used and identify the process used.** _____
- _____
- _____

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3. _____ if direct recording electronic voting machines were used, recounted the ballots using the voter verified paper audit trail as the official ballot [*§7-5-319(c)*]
 - A. _____ manually added the total votes for each issue involved in the recount from the voter-verified paper audit trail, OR
 - B. _____ counted by hand the votes for each issue involved in the recount from the voter-verified paper audit trail, OR
 - C. _____ used the paper record produced by the machine for manual audit due to a damaged voter-verified paper audit trail, OR
 - D. _____ used the paper record produced by the machine for manual audit, as the machine is exempt from the voter-verified paper audit trail requirement
4. _____ after the recount, secured the paper ballots, voting machines, electronic vote tabulating devices, audit logs, VVPATs, election materials and returns for retention and storage as provided by law [*§§7-5-319(f); 7-5-531; 7-5-532(e); 7-5-702*]
5. _____ certified the results of the last recount [*§7-5-319(b)*]

EXCEPTIONS AND COMMENTS

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

STATEMENT OF COMPLIANCE
STATEWIDE SPECIAL ELECTIONS

ALL ELECTION COMMISSIONERS MUST SIGN

We, the undersigned members of the County Board of Election Commissioners for the County of _____, do hereby state that the above is true to the best of our knowledge this _____ day of _____, 20____.

Election Commission Chair

Election Commissioner

Election Commissioner

WITHIN FIFTEEN DAYS AFTER THE ELECTION RETURN TO:

State Board of Election Commissioners

501 Woodlane, Suite 401N

Little Rock, AR 72201

(501) 682-1834 or (800) 411-6996

www.arkansas.gov/sbec

Certification of Logic and Accuracy Testing Results

Arkansas Code Annotated § 7-5-515 requires the county boards of election commissioners in each county to test voting machines for each election to determine that the voting system will correctly count the votes cast for all offices and on all measures.

Name of County: _____ Name of the Election: _____

County's State Election Coordinator: _____ Date of the Election: _____

Logic and Accuracy Certification Date: _____ Date Certification Filed with County Clerk: _____

Early Voting _____
Election Day _____

I certify that the voting machines for the above named election have been properly tested under A.C.A. § 7-5-515 in that:

- * a group of test ballots were preaudited to predetermine the number of valid votes for each candidate and each measure,*
- * one (1) or more of the preaudited test ballots were overvoted for each contest (they contained votes in excess of the number allowed by law),*
- * the preaudited test ballots were voted on the voting machines,*
- * the voting machines rejected overvotes,*
- * the cause of any error detected was determined and corrected, and*
- * an errorless count was made before approving the voting machine for use in the election.*

I further certify that upon completion of testing:

- * the ballots and programs used were sealed,*
- * the ballots and programs used will be retained and disposed of as provide by law, and*
- * this certification was filed with the county clerk attesting the accuracy of the voting system.*

Signatures:

County Election Commission Chair

County Election Commissioner

County Election Commissioner

County Clerk

County Clerk to Remit by Fax to:

State of Arkansas
Secretary of State
Attn: State Election Coordinator
State Capitol, Room 26
Little Rock, Arkansas 72201
Phone: 800-482-1127
Fax: 682-3408 OR 682-3548

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LIST OF VOTERS

Arkansas Code Annotated § 7-5-211(a)(2)(B) requires county election commissions to provide poll workers with list of voters forms. Arkansas Code Annotated § 7-5-305(a)(9) requires that before a person is allowed to vote, the voter's name must be recorded on the list of voters form.

DO NOT INCLUDE PROVISIONAL VOTERS ON THIS LIST. A separate form is required for provisional voters.

Date: _____

Poll Name: _____

County: _____

Precinct #(s): _____

NAME OF VOTER

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	

NAME OF VOTER

16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	

Pursuant to Arkansas Code Annotated § 7-5-314, poll workers shall total the number of voters on the list of voters forms, and the lists shall be certified and attested by the poll workers. **I certify and attest that this list contains the names of registered voters who voted non-provisional ballots at this polling site.**

Signature of Poll Worker

Signature of Poll Worker

Signature of Poll Worker

Signature of Poll Worker

Signature of Poll Worker

Signature of Poll Worker

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LIST OF PROVISIONAL VOTERS

Arkansas Code Annotated § 7-5-308 requires poll workers to make a list of the names and addresses of all persons voting a provisional ballot and requires county election commissions to determine the validity of each provisional ballot prior to certification of the election.

Date of Election: _____

Poll Name: _____

Precinct #(s): _____

TO BE COMPLETED BY POLL WORKERS			TO BE COMPLETED BY ELECTION COMMISSION		
No.	Voter's Name	Voter's Address	Vote counted		If not counted, reason
			Yes	No	
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18					
19					
20					

Commissioner Signature

Commissioner Signature

Commissioner Signature

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LIST OF PERSONS ASSISTING VOTERS

Arkansas Code Annotated § 7-5-310(b)(5) requires poll workers at the polling sites to make and maintain a list of the names and addresses of all persons assisting voters.

Date of Election: _____ Poll Name: _____

County: _____ Precinct #(s): _____

Name of Person Assisting Voter	Address of Person Assisting Voter	Name of Voter Assisted

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CHANGE IN POLLING SITE AUTHORIZATION FORM

If the address given by a voter to the poll worker is not the same as the address on the precinct voter registration list, Arkansas Code Annotated §§ 7-5-305 and 7-7-308 requires that the poll worker contact the county clerk's office to determine the voter's proper precinct.

If the county clerk's office confirms that the voter's address is not within the precinct, the poll worker should complete the information below and give the completed form to the voter, instruct the voter to complete a voter registration application form to update county voter registration record files, and instruct the voter to go to the polling site serving that precinct in order for his or her vote to be counted.

THE VOTER SHOULD PRESENT THIS COMPLETED FORM TO THE POLL WORKERS AT THE VOTER'S NEW POLLING SITE.

Date of Election: _____

Name of Voter: _____

Voter's Affidavit Number: _____
(This number will be provided by the County Clerk's office.)

New Polling Site Location: _____
(New polling site location will be provided by the County Clerk's office.)

New Polling Precinct Number: _____
(This number will be provided by the County Clerk's office.)

Ballot Style to be Voted: _____
(This number will be provided by the County Clerk's office.)

Authorized By: _____
(Name of the employee with county clerk's office confirming the voter's registration.)

Referred From: _____
(Name of the poll and the precinct number from which referred.)

Referred by Poll Worker: _____
(Signature of the poll worker referring the voter to a new polling site.)

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SPOILED BALLOT AFFIDAVIT

Date: _____ Poll Name: _____

County: _____ Precinct #(s): _____

Arkansas Code Annotated §§ 7-5-602 and 7-5-609 require that if a voter spoils a ballot, he/she should return the ballot to a poll worker who shall void the spoiled ballot by writing "CANCELLED" on its face and initialing the ballot. The poll worker shall issue the voter a new ballot, not to exceed three (3) in all. The voter must sign this affidavit before voting the new ballot.

I, the undersigned, do solemnly swear or affirm that I spoiled my ballot(s), that I returned the spoiled ballot(s) to a poll worker who canceled the ballot(s) in my presence, and that I received a new ballot.

Signature of Voter	Spoiled Ballot Ballot Style Number
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____
5. _____	_____
6. _____	_____
7. _____	_____
8. _____	_____
9. _____	_____
10. _____	_____
11. _____	_____
12. _____	_____
13. _____	_____
14. _____	_____
15. _____	_____

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VOTER COMPLAINT FORM

Arkansas Code Annotated § 7-5-510 requires county election commissions to provide, to every polling place using a voting machine(s), forms for voters to use in filing a complaint about the function of a voting machine.

Poll workers must forward complaint forms to their county election commission for investigation.

Name of Complainant: _____

Address of Complainant: _____

Telephone Number of Complainant: _____

Complaint: _____

Signature of Complainant: _____

Voting Machine Identification #: _____

County: _____

Poll Name: _____ Precinct #: _____

Date: _____ Time: _____

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ABANDONED BALLOT LOG

County: _____			
Date of Election: _____		Name of Election: _____	
Precinct Number(s): _____		Polling Location Name: _____	

PAPER BALLOT REJECTED BY SCANNER AND ABANDONED BY VOTER			
According to Arkansas Code Annotated § 7-5-309, if a paper ballot is abandoned in the receiving part of an electronic vote tabulating device by a voter who has left the poll without telling a poll worker to cancel or replace the ballot, two (2) poll workers should override warnings on the scanner, complete the process of casting the ballot, and document the name of the voter, the names of the two (2) poll workers completing the process of casting the ballot, the time, and all circumstances involved. POLL WORKERS SHOULD NOT CAST PAPER BALLOTS ABANDONED ELSEWHERE IN THE POLL SUCH AS ON THE FLOOR OR IN A VOTING BOOTH. SEPARATE PROCEDURES HAVE BEEN PROVIDED FOR THOSE BALLOTS.			
Name of Voter (if known)	Time	Names of Poll Workers	Circumstances
	1. 2.		
	1. 2.		
	1. 2.		
	1. 2.		
	1. 2.		
	1. 2.		

ELECTRONIC BALLOT ABANDONED ON A VOTING MACHINE			
According to Arkansas Code Annotated § 7-5-522, if an electronic ballot is abandoned on a voting machine by a voter who has left the poll without telling a poll worker to cancel the ballot, two (2) poll workers should complete the process of casting the ballot, and document the name of the voter, if known, the names of the two (2) poll workers completing the process of casting the ballot, the time, and all circumstances involved.			
Name of Voter (if known)	Time	Names of Poll Workers	Circumstances
	1. 2.		
	1. 2.		
	1. 2.		
	1. 2.		
	1. 2.		
	1. 2.		

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POLL WORKERS' CERTIFICATE

[Complete upon closing the poll and removing activation packs/devices from voting machines]

Name of Election: _____

Date of Election: _____ County: _____

Polling Location Name: _____

Precinct Number(s): _____

In accordance with Arkansas Code Annotated § 7-5-526, we hereby certify that, at the official time for closing the polls and upon termination of the voting, and in the presence of all persons authorized to be present, we removed the activation packs or devices from the voting machines at this polling site to make them inaccessible to further voting as indicated below.

Voting Machine Number	Beginning Protective Counter #*	# of Votes on Public Counter	Ending Protective Counter #**	Time Voting Machine Made Inaccessible
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

**From the ZERO printout tape posted for each voting machine before the poll opened*
***From the return record produced from each voting machine upon closing the poll*
NOTE: The sum of the beginning protective counter number plus the number of votes on the public counter should equal the ending protective counter number.

Poll Worker Signature

Poll Worker Signature

Poll Worker Signature

Poll Worker Signature

Poll Worker Signature

Poll Worker Signature

Return signed certificate to County Election Commission with election materials

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NOTICE ON ELECTIONEERING

ELECTIONEERING includes:

- **Distributing literature regarding any candidate or issue on the ballot,**
- **Soliciting signatures on any petition,**
- **Soliciting contributions, and**
- **Attempting to win votes by wearing or displaying campaign buttons, caps, shirts, signs or other articles of influence.**

PROHIBITION

Arkansas Code Annotated 7-1-103 and 7-1-104 prohibit electioneering in the building or within 100 feet of the primary exterior entrance used by voters to the building containing the early voting site or polling site on any election day or any day on which early voting is allowed.

PUNISHMENT

Violation of electioneering laws is, at the minimum, a Class A misdemeanor offense punishable by fine or confinement.

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POLL WATCHER AUTHORIZATION FORM

[A.C.A. § 7-5-312]

Representative of a Candidate

I, _____, state that I am a candidate for the office of _____ in the _____ election. I further state that I have designated _____ as my authorized representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Representative of a Group

I, _____, state that I represent the _____ group which is seeking passage/defeat (*circle one*) of the ballot measure entitled _____ on the ballot in the _____ election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417.

Representative of a Party

I, _____, state that I am the chair or secretary of the _____ state/county (*circle one*) committee for the _____ party with candidates on the ballot in the _____ election. I further state that I have designated _____ as an authorized party representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas, for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Signature of Candidate, Group Representative, or Chair/Secretary of the State/County Committee

Acknowledged before me this _____ day of _____, 20 ____.

Notary Public: _____ My Commission Expires: _____

I do hereby state that I am familiar with the rights and responsibilities of a poll watcher as outlined on the back of the poll watcher authorization form and will in good faith comply with the provisions of same.

Signature of the Poll Watcher

Acknowledged before me this _____ day of _____, 20 ____.

Notary Public: _____ My Commission Expires: _____

I do hereby acknowledge the filing of this poll watcher authorization form with the county clerk's office.

Signature of County Clerk

POLL WATCHER RIGHTS AND RESPONSIBILITIES

A poll watcher may be:

- (1) A candidate in person, but only during the counting and tabulation of ballots and the processing of absentee ballots;
- (2) An authorized representative of a candidate;
- (3) An authorized representative of a group seeking the passage or defeat of a measure on the ballot; or
- (4) An authorized representative of a party with a candidate on the ballot.

Official recognition of poll watchers:

- (1) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within a polling site where voters identify themselves to election officials;
- (2) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within the absentee ballot processing site where absentee ballots are processed; and
- (3) Only one (1) authorized poll watcher per candidate or party at any one (1) given time may be officially recognized as a poll watcher at the counting of the ballots.

Poll watcher credentials:

- (1) Except for candidates in person, poll watchers must present a valid affidavit in the form of a “Poll Watcher Authorization Form” to an election official immediately upon entering the polling or counting location.
- (2) Candidates in person attending a counting site or absentee ballot processing site are not required to present a “Poll Watcher Authorization Form” but must present some form of identification to an election official immediately upon entering the site for the purpose of confirming the poll watcher as a candidate on the ballot.

Poll watchers may:

- (1) Observe the election officials;
- (2) Stand close enough to the place where voters check in to vote so as to hear the voter’s name;
- (3) Compile lists of persons voting;
- (4) Challenge ballots upon notification to an election official before the voter signs the precinct voter registration list and upon completing a “Challenged Ballot Form”;
- (5) Call to the attention of the election sheriff any occurrence believed to be an irregularity or violation of election law. The poll watcher may not discuss the occurrence unless the election sheriff invites the discussion; and
- (6) Be present at the opening, processing, and canvassing of absentee ballots for the purpose of challenging absentee votes in the manner provided by law for personal voting challenges.

Poll watchers representing a candidate or political party may:

- (1) Remain at the polling site after the poll closes if ballots are counted at the poll;
- (2) Be present at the counting of votes by hand or by an electronic vote tabulating device at a central location;
- (3) Be present at the counting of absentee ballots for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted; and
- (4) Upon request made to an election official, inspect any or all ballots at the time the ballots are being counted.

Poll watchers may not:

- (1) Be within six feet (6’) of any voting machine or booth used by voters to cast their ballot;
- (2) Speak to any voter or in any way attempt to influence a voter inside the polling site or within one hundred feet (100’) of the primary exterior entrance used by voters to the building containing the polling site; or
- (3) Disrupt the orderly conduct of the election.

BALLOT ACCOUNTING REPORTING INSTRUCTIONS

Arkansas Code Annotated § 7-5-707 requires that for every state and federal election certified to the Secretary of State's Office, the county election commission must submit a written report to the State Board of Election Commissioners containing information regarding the number of persons voting, unused ballots, and ballots cast at the election. A copy of the written report must be filed with and posted in a public place in the county clerk's office for a period of twenty (20) days.

To assist commissions in meeting their statutory reporting requirements, the State Board has developed and is providing each county election commission with a sample Ballot Accounting Reporting Form and instructions for completing the form.

In completing the form, the State Board recommends that totals be obtained independently and then verified by adding the applicable individual components that comprise the total. We have offered various sources from which to obtain your numbers and formulas on the reporting form for verifying your numbers.

A. Total number of persons who voted in the election

Source 1: ERM Report

Source 2: List of Voters forms *[from election day]* + List of Provisional Voters forms *[from election day]* + Early Voting Rosters + Absentee Application List/Register *[# of persons who returned absentee ballots]*

Source 3: "TOTAL NUMBER OF VOTERS" *[item "j" on page 3 of the Poll Workers' Checklists]* + the total number of early voters *[from Early Voting Rosters]* + the total number of persons who returned absentee ballots *[from the Absentee Application List/Register]*

B. Absentee Ballots

(1) Non-provisional absentee ballots cast

Source: ERM Report

C. Early Votes Cast

(1) Early votes cast by voting machine

Source 1: ERM Report

Source 2: Voting Machine Tape Printouts *[from voting machine(s) used for early voting]*

Source 3: Early Voting Rosters

(2) Non-provisional early paper ballots cast

Source 1: ERM Report

Source 2: Electronic Vote Tabulator Tape Printout(s) *[if precinct optical scanner(s) used]*

Source 3: Early Voting Rosters

D. Votes Cast on Election Day

(1) Votes cast by voting machine on election day

Source 1: ERM Report

Source 2: Voting Machine tape printouts *[from voting machines used on election day]*

Source 3: Poll Workers' Checklists *[item "i" on page 3]*

(2) Non-provisional paper ballots cast on election day

Source 1: ERM Report

Source 2: Poll Workers' Checklists *[item "g" on page 3]*

E. Provisional Ballots Counted or Disqualified

- (1) Provisional absentee ballots counted
- (2) Absentee ballots disqualified
Source: List of Provisional Voters form(s) *[for absentee]*
- (4) Provisional early ballots counted
- (5) Early ballots disqualified
Source: List of Provisional Voters form(s) *[for early voting]*
- (7) Provisional election day ballots counted
- (8) Election day ballots disqualified
Source 1: List of Provisional Voters forms *[from election day]*
Source 2: List of Provisional Voters form(s) *[for early voting]*
Source 3: Poll Workers' Checklists *[item "f" on page 3]*

F. Other Ballots

- (1) Spoiled ballots
Source 1: Poll Workers' Checklists *[item "d" on page 3]* + Early Voting Rosters *[spoiled ballots]* + Absentee Application List/Register *[spoiled ballots]*
Source 2: Spoiled Ballot Affidavits
- (2) Abandoned paper ballots *[not cast or counted]*
Source 1: Poll Workers' Checklists *[item "e" on page 3]* + Early Voting Rosters *[abandoned ballots]*
Source 2: Abandoned Ballot envelopes *[manual count]*
- (3) Absentee Ballots Issued *but not returned*
Source: Absentee Application List/Register *[total number of absentee ballots not returned]*
- (4) Sample Ballots
- (5) Coding/Testing Ballots
- (6) Paper ballots issued
Source: Poll Workers' Checklists *[item "c" on page 3]* + Early Voting paper ballots used *[from early voting accounting form provided by the commission to account for early ballots delivered to the county clerk]* + Absentee ballots used *[from absentee accounting form provided by the commission to account for absentee ballots delivered to the county clerk]*
- (7) Unused paper ballots
Source: Poll Workers' Checklists *[item "b" on page 3]* + Unused Early Voting paper ballots *[from early voting accounting form provided by the commission to account for early ballots delivered to the county clerk]* + Unused Absentee ballots *[from absentee accounting form provided by the commission to account for absentee ballots delivered to the county clerk]*
- (8) Ballots printed
Source 1: Purchase order form *[used by the commission to order ballots from a vendor]*
Source 2: Poll Workers' Checklists *[item "a" on page 3]* + Early Voting paper ballots received *[from early voting accounting form provided by the commission to account for early ballots delivered to the county clerk]* + Absentee ballots received *[from absentee accounting form provided by the commission to account for absentee ballots delivered to the county clerk]*

G. Total number of persons presenting themselves to vote

- Source 1:** ERM Report
- Source 2:** List of Voters forms *[from election day]* + List of Provisional Voters forms *[from election day]* + Early Voting Rosters + Absentee Application List/Register *[# of persons who returned absentee ballots]*
- Source 3:** "TOTAL NUMBER OF VOTERS" *[item "j" on page 3 of the Poll Workers' Checklists]* + the total number of early voters *[from Early Voting Rosters]* + the total number of persons who returned absentee ballots *[from the Absentee Application List/Register]*

BALLOT ACCOUNTING REPORTING FORM

(Read instructions carefully before completing this form)

COUNTY NAME _____ ELECTION _____

A. _____ Total number of persons presenting themselves to vote this election

B. Absentee Ballots (Non-Provisional)

(1) _____ Total number of non-provisional absentee ballots cast

If your numbers reconcile with the sources listed in the instructions provided, initial here _____ and proceed to Section C. Early Votes Cast.

C. Early Votes Cast (Non-Provisional)

(1) _____ Total number of early votes cast by voting machine

(2) _____ Total number of non-provisional early paper ballots cast

(3) _____ Total number of non-provisional early votes cast by paper and voting machine [C(1) + (2) = (3)]

If your numbers reconcile with the sources listed in the instructions provided, initial here _____ and proceed to Section D. Votes Cast on Election Day.

D. Votes Cast on Election Day (Non-Provisional)

(1) _____ Total number of votes cast by voting machine

(2) _____ Total number of non-provisional paper ballots cast

(3) _____ Total number of non-provisional votes cast by paper and voting machine [D(1) + (2) = (3)]

If your numbers reconcile with the sources listed in the instructions provided, initial here _____ and proceed to Section E. Provisional Ballots.

E. Provisional Ballots

(1) _____ Total number of provisional absentee ballots counted

(2) _____ Total number of provisional absentee ballots disqualified

(3) _____ Total number of provisional absentee ballots cast [E(1) + (2) = (3)]

(4) _____ Total number of provisional early ballots counted

(5) _____ Total number of provisional early ballots disqualified

(6) _____ Total number of provisional early ballots cast [E(4) + (5) = (6)]

(7) _____ Total number of provisional election day ballots counted

(8) _____ Total number of provisional election day ballots disqualified

(9) _____ Total number of provisional election day ballots cast [E(7) + (8) = (9)]

(10) _____ Total number of provisional ballots counted [E (1) + (4) + (7) = (10)]

(11) _____ Total number of provisional ballots disqualified [E (2) + (5) + (8) = (11)]

(12) _____ Total number of provisional ballots cast [E (3) + (6) + (9) = (12)]

If your numbers reconcile with the sources listed in the instructions provided, initial here _____ and proceed to Section F. Other Ballots.

F. Other Ballots

(1) _____ Total number of spoiled ballots

(2) _____ Total number of abandoned paper ballots

(3) _____ Total number of absentee ballots issued *but not returned*

(4) _____ Total number of paper ballots marked "Sample" and displayed at Polls

(5) _____ Total number of coding/testing ballots

(6) _____ Total number of paper ballots issued [B(1) + C(2) + D(2) + E(12) + F(1) + F(2) + F(3) = F(6)]

(7) _____ Total number of unused paper ballots

(8) _____ Total number of paper ballots printed [F(4) + (5) + (6) + (7) = (8)]

G. Persons Presenting Themselves to Vote

(1) _____ Total number of persons presenting themselves to vote [B(1) + C(3) + D(3) + E (12) + F(2) = G(1)]

[If your numbers are correct, "G1" will equal "A" above]

If you were unable to verify any of these numbers, you have identified a problem that must be reconciled before the election is certified to the Secretary of States' Office.

Affidavit of County Board of Election Commissioners

We, the three Election Commissioners of _____ County, herby certify that the Ballot Accounting Reporting form was completed according to the instructions provided for completing the reporting form, that all numbers were verified according to the instructions provided, that all discrepancies, if any, were identified and that all discrepancies were reconciled, and therefore attest that we have successfully accounted for all paper ballots and confirmed the accuracy of the vote counts before certifying the election to the Secretary of State's Office.

Signed this _____ day of _____, 20__.

Election Commission Chair

Election Commissioner

Election Commissioner

On this _____ day of _____, 20__, before me, _____,
the undersigned notary, personally appeared _____,
_____, and _____

known to me (or satisfactorily proven) to be the person whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Notary Public

My Commission expires: _____

**UPON CERTIFICATION OF THE ELECTION TO THE SECRETARY OF STATE,
RETURN THIS FORM TO:**

State Board of Election Commissioners
501 Woodlane, Suite 401N
Little Rock, AR 72201
(501) 682-1834 or (800) 411-6996